Council of the European Union

Brussels, 23 November 2022
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14593/22

LIMITE

CSC 511

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
Subject:	Outcome of proceedings of the Council Security Committee meeting held on 26 - 27 October 2022

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1.   Adoption of the agenda

The agenda was adopted as set out in CM 4708/1/22 REV 1.

At the beginning of the meeting the Chair informed delegations that the Environment Council had adopted on 24 October 2022 the mandate approved by Coreper on 12 October 2022 to authorise the EEAS to start negotiations with the European Space Agency (ESA) with a view to revising the existing Security of Information Agreement (SIA). Once the High Representative would be formally notified of the mandate of the Council the EEAS would send an official letter to the ESA DG to inform them of the willingness of the EU to open the negotiation for an update of the Security of Information Agreement currently in force.

2.   Proposal for a Regulation of the European Parliament and of the Council on information security in the institutions, bodies, offices and agencies of the Union

The Commission gave a short presentation of the interplay between the Regulation, internal rules, guidance documents and the proposed governance, as set out in WK 14169/22. The role of the Interinstitutional Coordination Group would be to monitor that the internal implementing rules of the EUIBAs are in line with the Regulation, but it would remain up to each EUIBA to ensure in

practice that the internal rules applied by them were compatible with the Regulation. The Regulation would contain the minimum common rules to be applied by all EUIBAs.

As to the proposed governance structure, a number of delegations underlined that Member States should have a stronger role in it. The Council Legal Service stated that it would not be appropriate to include a direct reference to the Council Security Committee in the Regulation. The Chair concluded that the governance structure would still be further discussed at one of the forthcoming meetings.

The CSC then continued with the first examination of the proposal. The Commission presented the rationale behind articles 15 to 50 and Member States provided their preliminary views on these articles. A number of delegations expressed again their concerns about the inclusion of non-classified information (NCI) in the scope of the Regulation. Considering that these categories of information did not relate to the fundamental security interests of the Union or Member States and should not be mixed with EUCI in the same legal instrument, they proposed to have two separate legal instruments.

The Committee would continue the first examination at one of its next meeting (tbc).

3.   **Review of the Council Security Rules – state of play and roadmap for period until June 2023**

The GSC informed the delegations about the state of play as regards the review of the Council Security Rules (CSR) and about the timetable for planned review work for the period until June 2023 as set out in 13962/22. This review would continue in parallel with the examination of the draft Regulation, with the aim of finalising the work on the CSR chapters on industrial security and personnel security by end-June 2023. The review of the provisions regarding assessment visits will start by the end of this period as well. The CSC-IA would in parallel work on the CSR chapter on communication and information systems (CIS) in order to submit a draft to the CSC by end-June 2023. This chapter and the CSR general provisions would then be discussed with a view to finalising the whole document by end-2023.

4. Mapping of existing tools for secure communication in the cyber field

The Commission informed delegations of the questionnaire concerning the mapping of existing tools for secure communications in the cyber field as set out in WK 12729/22. The questionnaire had been prepared by the Commission (DG Connect) at the request of the Horizontal Working Party on Cyber Issues. The Chair stated that the CSC would be kept informed of the follow-up to the questionnaire.

5. Security background screening process for European Councils and other summits

The GSC informed delegations about the issue of accreditation of external staff and media representatives for meetings of the European Council and other high-level meetings as set out in 13935/22. The GSC faced some challenges with the security screening of people not residing in Belgium, currently supposed to be done by the rotating Presidencies, whereas Belgian residents are routinely screened by the Belgian NSA.

A solution presented by the CSC to Coreper in 2016 (see 15696/16) was to involve all Member States, in order to better share the burden; that proposal was however never applied and would not solve the issues related to the limitations of some national legislative frameworks. The GSC was invited to provide more detailed statistics as well as information on its expectations. Discussion on this matter would be continued at one of the next CSC meetings.

6. Any other business

The Commission reminded delegations of its Security Symposium to be held on 6 December 2022 in Brussels.

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