



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 March 2011

8054/11

CSC 15

“I/A” ITEM NOTE

From: The Antici Group

To: COREPER / Council

Subject: Council Decision on the security rules for protecting EU classified information

1. On 5 December 2007, COREPER instructed the Security Committee to review the security rules for protecting EU classified information ("EUCI") to explore whether a more coherent and comprehensive general framework for protecting classified information within the European Union could be found, and to simplify and update the rules, taking account of experience gained and international good practice (doc. 14762/07).
2. Following an interim report to COREPER in October 2008 (doc. 14594/08), COREPER invited the Security Committee to continue its work with the aim of completing it, if possible, by Spring 2009. A further report on the state of progress of work was submitted to COREPER in July 2009 (doc. 11501/09).

3. As a contribution to an overall framework for protecting classified information within the European Union, the Security Committee prepared:
 - a draft Council Decision on the security rules for protecting EU classified information;
 - and a number of declarations for the minutes of the Council at which the above Decision would be adopted.
4. Following a final report from the Security Committee to COREPER (doc. 13646/09) and a number of discussions at the Antici Group and in COREPER, the Antici Group finalised the text of the draft Decision and declarations on 16 March 2011.
5. The draft Council security rules are based on a more flexible risk-management approach for protecting EUCI and have been updated in the light of practical experience. They have been simplified to render them more user-friendly, shortened and inconsistencies have been removed. In addition to establishing the regulatory framework governing EUCI, the Council's security rules will continue to guarantee an appropriate level of protection for any classified information provided to the Council by Member States and by third States and international organisations.
6. The overall framework for protecting classified information within the European Union will be supplemented by an Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union, which will be signed after adoption of the Council's security rules (see docs. 13886/09 and 8125/11).
7. In the light of the above, and subject to confirmation by COREPER, the Council is invited to:
 - adopt the Council Decision on the security rules for protecting EU classified information as set out, after legal-linguistic review, in document 6952/11; and
 - decide to enter the statements set out in Addendum 1 to this note in its minutes and agree that they should be made public.