



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 25 February 2013

6795/13

LIMITE

**CSC 17
PESC 217
INST 99**

OPINION

Of : The Council Security Committee

To : The High Representative

Subject : Opinion of the Council Security Committee on the draft security rules for the European External Action Service (EEAS)

1. On 31 January 2013, the Managing Director for Administration and Finance of the EEAS forwarded to the Chair of the Council Security Committee a draft Decision of the High Representative on the security rules for the EEAS (doc. 5936/13) and requested the Committee to provide its opinion pursuant to Article 10(1) of Council Decision 2010/427/EU establishing the organisation and functioning of the EEAS¹.
2. The Committee undertook a detailed examination of this draft on [21 February] 2013 and agreed on the opinion attached to this note, which is supportive of the proposed draft Decision.
3. The Committee requested its Chair to forward this opinion to the High Representative via the Managing Director for Administration and Finance of the EEAS.

¹ OJ L 201, 3.8.2010, p. 30

**Opinion of the Council Security Committee
on the draft Decision of the High Representative
on the security rules for the European External Action Service (EEAS)**

1. On 15 June 2011, the High Representative adopted a Decision on the security rules for the European External Action Service². The Committee notes that the draft Decision on which its opinion is now requested is aimed at repealing and replacing the 2011 Decision and at complementing it with a specific Annex on the protection of EU classified information (EUCI) within the EEAS.
2. The draft Decision set out in doc. 5936/13 provides a clear framework within which the risks to staff, physical assets and information, both classified and unclassified, can be effectively managed and duty of care responsibilities properly exercised by the EEAS. It establishes a chain of command, responsibility and accountability for security matters within the EEAS.
3. The Committee commends the risk management approach to security as reflected in the draft Decision and the intention of the EEAS to develop a comprehensive security risk assessment methodology in close cooperation with the security authorities of the Commission and, where appropriate, of the General Secretariat of the Council (GSC) (Article 10).
4. The Committee also commends the fact that the EEAS security rules are to be implemented in close cooperation with the competent authorities of the Member States and with the security authorities of the Commission and of the GSC. In this context, the EEAS Security Committee (whose role and organisation are clearly defined in the draft Decision) is an appropriate forum for interaction between the actors concerned. This is without prejudice to the legal requirement to consult the Council Security Committee on any future changes to the EEAS security rules in accordance with Article 10(1) of Council Decision 2010/427/EU establishing the organisation and functioning of the EEAS³.

² OJ C 304, 15.10.2011, p. 7

³ OJ L 201, 3.8.2010, p. 30

5. The Committee welcomes the fact that the draft security rules for the EEAS are designed to achieve a coherent comprehensive general framework for protecting classified information within the EU, and to maintain equivalence with the Council's security rules and the Commission's security provisions. In this respect, the Committee welcomes in particular:
 - (a) the approach taken with regard to the approval of cryptographic products to protect EUCI, which foresees that such products will be approved by the EEAS Crypto Approval Authority on a recommendation by the Council Security Committee (Article 7(5)); this will avoid duplication of tasks and resources in the domain of Information Assurance and help ensure interoperability of CIS within the EU;
 - (b) the commitment for the EEAS Security Committee to take full account of security policies and guidelines in force in the Council and the Commission (Article 14(6)).
6. In order to maintain equivalence, it is important that the definitions used in the security rules for the EEAS (such as the definition of EUCI) are consistent to the fullest extent possible with those used in the Council's security rules and in the Commission's security provisions.
7. The Committee urges the EEAS Security Committee to consider establishing an Information Assurance sub-committee in accordance with Article 14(8), second indent, of the security rules for the EEAS.
8. The draft Decision faithfully reflects the respective competences of the High Representative and of the Council with regard to the negotiation and conclusion of agreements on the exchange of classified information with third States and international organisations.
9. Bearing in mind the above, the Committee is supportive of the draft Decision of the High Representative on the security rules for the EEAS, which sets out basic principles and minimum standards for protecting EUCI which are equivalent to those set out in the Council's security rules.