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## **PROPOSAL**

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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	22 March 2022
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Subject:	ANNEX 1 to the 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

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Delegations will find attached document COM(2022) 119 final - Annex 1.

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Encl.: COM(2022) 119 final - Annex 1



Brussels, 22.3.2022  
COM(2022) 119 final

ANNEX 1

**ANNEX**

**to the**

**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**

{SWD(2022) 65 final} - {SWD(2022) 66 final}

## ANNEX I

### **Protective measures for handling sensitive non-classified information**

#### ***Marking and handling of sensitive non-classified information***

1. Documents containing sensitive non-classified information must be marked using a security marking and, where relevant, one or more distribution marking or markings specifying the target audience as appropriate. The standard security marking shall be the word 'SENSITIVE' in upper case, except in cases referred to in Article 15(2).
2. Documents containing sensitive non-classified information must only be accessible to recipients with a need-to-know for official purposes. Where distribution markings are used, permission must be requested from the originating Union institution or body to extend the distribution of a document.
3. All persons handling sensitive non-classified information must be made aware of the handling instructions.
4. Documents marked SENSITIVE are downgraded to EU NORMAL or PUBLIC USE, through the removal or striking of the markings.
5. When Union institutions and bodies destroy documents containing sensitive non-classified information, this must be done in such a way that they cannot be easily reconstructed. Paper copies must be shredded and electronic copies must be securely overwritten, physically destroyed or otherwise rendered irrecoverable.

#### ***Protection of sensitive non-classified information when working outside the sites of Union institutions and bodies***

6. Sensitive non-classified information must be protected from eavesdropping and observation during teleworking and missions outside the office, and must not be handled or stored in public.
7. Documents containing sensitive non-classified information must only be handled and stored on equipment or applications that are appropriately secured under the responsibility of Union institutions and bodies.
8. Union institutions and bodies must provide means to prevent unauthorised persons, including relatives, from accessing sensitive non-classified information handled or stored by the equipment of a Union institution or body, when working outside the place of employment.
9. Union institutions and bodies must instruct their personnel to:
  - (a) protect Union institutions or bodies' equipment handling sensitive non-classified information from theft, loss and damage and report immediately any adverse security event impacting their devices or the information therein;
  - (b) not share their devices with any unauthorised persons;
  - (c) not use the equipment for non-work related activities.
10. Union institutions and bodies must ensure that, as far as possible, their equipment or their appropriately secured applications are used to handle and store any sensitive non-classified documents in electronic format outside their sites. Handling of

physical copies of sensitive non-classified documents outside the office should be avoided.

11. Where teleconference or videoconference tools are used, Union institutions and bodies must minimise the risk of unauthorised persons seeing or hearing the discussions by appropriately authenticating participants and using encrypted communications tools compatible with the need-to-know.
12. Union institutions and bodies shall provide training to all personnel working remotely on the handling of sensitive non-classified information when working outside the office.

***Sharing sensitive non-classified information***

13. Documents containing sensitive non-classified information may be shared between Union institutions and bodies without additional formalities.
14. Union institutions and bodies must only share documents containing sensitive non-classified information outside all Union institutions and bodies on the basis of a commitment that binds parties to respect the handling instructions.
15. Union institutions and bodies must notify the recipients of sensitive non-classified information of the obligation to not share the information with any parties outside the audience indicated by the distribution markings unless allowed by the originator.
16. Union institutions and bodies must protect the sensitive non-classified information that is provided or shared electronically through appropriate security measures including encryption in transit using appropriate cryptographic mechanisms.