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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 2)
Subject:	Terms of Reference of the Council Security Committee - Technical Surveillance Counter-Measures Expert Group - submission with a view to thier approval

1. Article 19(3) of the Rules of Procedure of the Council allows Coreper to set up working parties with a view to carrying out certain preparatory work or studies defined in advance.
2. The need for carrying such work in the area of technical surveillance counter-measures (TSCM) has been identified at the Council Security Committee - Information Assurance (CSC-IA) meeting held on 24 November 2021 where the establishment of a TSCM technical expert sub-area was discussed.
3. Following the support expressed by delegations, the General Secretariat of the Council prepared draft Terms of Reference of the Council Security Committee - Technical Surveillance Counter-Measures Expert Group (CSC-TSCM Expert Group) which were endorsed by the CSC-IA on 5 July 2022¹ and subsequently - by the Council Security Committee (CSC) on 25 July 2022².
4. In light of this background, Coreper is invited to approve the Terms of Reference of the CSC-TSCM Expert Group as set out in the Annex to this note.

¹ doc. 11227/22

² doc. 12059/22

TERMS OF REFERENCE

of

the CSC Technical Surveillance Counter-Measures Expert Group

1. The Council Security Committee (CSC) hereby establishes a technical expert sub-area for Technical Surveillance Counter-Measures (TSCM) issues (CSC-TSCM Expert Group), to operate under its authority, linking the General Secretariat of the Council (GSC) to Member States, as well as to other EU institutions, agencies and bodies.
2. In the field of information security, technical surveillance counter-measures focus on technologies, techniques and tools to prevent, detect and potentially neutralise eavesdropping of information in any physical or electronic form, in particular audio and video information. It includes, but is not limited to, the inspection of facilities and vehicles and the protection of classified meetings and classified information.
3. The CSC-TSCM Expert Group will deal with any matter referred to it by the Council Security Committee or any of its sub-formations and may examine any issues related to technical surveillance counter-measures, including, but not limited to:
 - a) establishing appropriate channels and/or procedures for the conduct of joint operations or exercises intended to:
 - i) provide operational support between EU institutions and/or Member States;
 - ii) define a common technical approach on TSCM matters where appropriate; or
 - iii) improve the interoperability of TSCM equipment and exchange of know-how on good practices, equipment and other relevant data in the field of measurements;
 - b) developing TSCM guidelines for the protection of classified information and classified meetings;

- c) facilitating the organisation of joint theoretical and practical training, in terms of equipment;
 - d) fostering the exchange of good practices and know-how on offensive techniques and other relevant TSCM-related information among the EU institutions, agencies and bodies and Member States; and
 - e) providing advice on TSCM matters, facilitating exchanges on relevant technological developments in the GSC and in Member States and making any appropriate recommendations.
4. The CSC-TSCM Expert Group will be composed of representatives of the Member States Governmental TSCM Services and will be attended by representatives of the European External Action Service and the European Commission. Representatives of other EU institutions, agencies or bodies may be invited to attend when matters of relevance to them are discussed.
 5. The CSC-TSCM Expert Group will be chaired by the ORG 5.C Head of Information Security Unit.
 6. Meetings of the CSC-TSCM Expert Group will take place at the level of operational experts in the field under discussion.
 7. The CSC-TSCM Expert Group's meetings will be organised by the GSC and will be held at least once per year, or more frequently, upon initiative of its Chair or if requested by any of the participants.
 8. The CSC-TSCM Expert Group will hold its meeting in Brussels in physical or virtual format as appropriate.
 9. The time, venue and agenda will be shared in writing with the participants ahead of the meeting.
 10. The CSC-TSCM Expert Group will report on its work to the Council Security Committee.