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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2022) 119 final- Annex 4
Subject:	ANNEX 4 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

Delegations will find attached document COM(2022) 119 final- Annex 4.

Encl.: COM(2022) 119 final- Annex 4

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ANNEX 4

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 IV

Security measures for European Union classified information ('EUCI') management

For the purposes of this Annex, 'commercial courier' means the national postal services and private carriers that offer a service where documents are delivered in exchange for a fee and is either personally hand carried or tracked.

Carriage of EUCI

1. Whenever possible, Union institutions and bodies that take EUCI outside Secured Areas or Administrative Areas must send it electronically by appropriate accredited means or protect it by approved cryptographic products.

2. When carrying EUCI, Union institutions and bodies must apply protective measures, meeting the following requirements:

   (a) be commensurate with the level of classification of the EUCI carried;

   (b) be adapted to the specific conditions of its carriage, as well as to the nature and the form of EUCI carried.

3. Where carried physically by hand in the form of paper documents or on removable storage media, the EUCI must remain in the possession of the bearer and must not be opened until it reaches its final destination.

4. Individuals or couriers carrying information classified CONFIDENTIEL UE/EU CONFIDENTIAL or higher must be security authorised, briefed on their security responsibilities and where necessary, must be provided with a courier certificate, issued by the relevant department's EUCI Registry.

5. Guards and escorts must be security cleared to the relevant level and be briefed on security procedures for protecting EUCI.

6. Where using removable storage media, Union institutions and bodies must either protect the media by an encryption product or encrypt the documents themselves.

Packaging of EUCI

7. As regards the packaging of EUCI, Union institutions and bodies must ensure that the contents are covered from view.

8. RESTREINT UE/EU RESTRICTED information must be carried in at least one layer of opaque packaging, such as envelopes, opaque folders or a briefcase. Information classified CONFIDENTIEL UE/EU CONFIDENTIAL or higher must be carried in two layers of opaque packaging.

9. The outer packaging must not bear any indication of the nature or classification level of its contents. The inner layer of packaging must bear the EUCI marking. Both layers must state the intended recipient's name, job title and address, as well as a return address in case delivery proves to be impossible.

Transport by commercial couriers

10. Commercial couriers may convey information classified RESTREINT UE/EU RESTRICTED and CONFIDENTIEL UE/EU CONFIDENTIAL within a Member State and from one Member State to another. Commercial couriers may deliver SECRET UE/EU SECRET information only within a Member State and provided that they are approved by the relevant National Security Authority. No EUCI at

TRES SECRET UE/EU TOP SECRET level can be entrusted to a commercial courier.

11. Commercial courier services must deliver consignments of information classified CONFIDENTIEL UE/EU CONFIDENTIAL or higher only to the Registry Control Officer, to the duly authorised substitute or to the intended recipient. A registration receipt form must be placed inside the inner envelope or inner layer of packaging for the recipient to complete and return. The registration receipt, which in itself is not classified, must quote the reference number, date and copy number of the document, but not the subject.

12. Delivery receipts are required in the outer envelope or outer packaging. The delivery receipt, which in itself is not classified, must quote the reference number, date and copy number of the document, but not the subject.

13. The courier service must obtain and provide the sender with proof of delivery of the consignment on the signature and tally record, or the courier must obtain receipts or package numbers.

14. The sender must liaise with the named recipient before the consignment is sent to reach an agreement on a suitable date and time for delivery.

15. Commercial couriers may use the services of a sub-contractor.

16. Services offered by commercial couriers providing electronic transmission of registered delivery documents must not be used for EUCI.

Measures related to classified meetings

17. Union institutions and bodies must forewarn the participants of the intention of discussing classified topics during a meeting, and of the corresponding security measures that will apply.

18. Union institutions and bodies must check that participants at classified meetings have a need-to-know, and where appropriate they must be security cleared and/or authorised to the appropriate level.

19. Union institutions and bodies must only discuss information classified CONFIDENTIEL UE/EU CONFIDENTIAL or higher in a meeting room that has been accredited at the appropriate level or higher. Similarly, only accredited IT equipment must be used where classified information is conveyed during a meeting. The Chair must ensure that unauthorised portable electronic devices are left outside the meeting room.

20. The meeting organisers of Union institutions and bodies must inform their Security Authority of any external visitors who will attend a meeting classified CONFIDENTIEL UE/EU CONFIDENTIAL or higher that is to be held on the premises of the Union institution or body concerned.

21. Only Communication and Information Systems accredited in accordance with Chapter 5, Section 5 of this Regulation may be used where classified information is conveyed during virtual meetings.