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WORKING DOCUMENT

From: Presidency
To: Delegations

Subject: Negotiation of an IIA on EP's access to classified information in CFSP/CSDP

Delegations will find enclosed a note on the negotiation of an IIA on EP's access to classified information in CFSP/CSDP, with a view to the discussion at the GAG meeting on 6 September 2022.

Background Note

EP's access to the classified information in CFSP/CSDP

Current situation

- The IIA 2002 on the access by the European Parliament to classified information in the field of CSDP (the only agreement that allow EP members to access this type of information) is outdated and should be brought in line with the institutional setup Post-Lisbon (the role of the HR and the existence of the EEAS).
- COREPER approved a mandate for negotiations with the Parliament in December 2012. Negotiations started but were put on hold in 2014 because the MS wanted to assess the implementation of the 2014 IIA related to the EP access to classified information in non-CFSP areas (especially as regards EP's alignment with Council security rules on handling EUCI).
- COREPER on 17 April 2019 endorsed the resumption of the negotiations and adopted a renewed mandate for the High Representative to negotiate an updated Arrangement, following the Council Security's Committee evaluation of EP's alignment with Council security rules on handling EUCI.
- In 2020, the European Parliament Conference of Presidents appointed the EP political negotiating team composed of MEPs David McAllister (Chair of AFET Committee, EPP, DE) and Nathalie Loiseau (Chair of SEDE Sub-Committee, RE, FR). The mandate given to the negotiators was to renegotiate the new IIA as to be aligned with the IIA of 12 March 2014 concerning the forwarding to and handling by the European Parliament of classified information held by the Council on matters other than those in the area of the common foreign and security policy. In July 2021, the European Parliament sent to the CONS and EEAS its negotiating position.
- In September and December 2021, two technical meeting took place, where the mandates and basic principles of the positions of the Council and EP were explained.

Next steps

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