Parliament access to sensitive Council documents on security and defence. Interinstitutional agreement

2002/2130(ACI) - 20/11/2002 - Final act

PURPOSE : to conclude an interinstitutional agreement concerning the access by the European Parliament to sensitive information held by the Council in the field of security and defence. COMMUNITY MEASURE : European Parliament/Council Interinstitutional Agreement concerning access by the European Parliament to sensitive information of the Council in the field of security and defence policy. CONTENT : the European Parliament and the Council have approved the interinstitutional agreement concerning access by the European Parliament to sensitive information held by the Council in the field of security and defence policy. In view of the specific nature and especially sensitive content of certain highly classified information in the field of security and defence policy, special arrangements are introduced for the handling of documents. This Interinstitutional Agreement deals with access by the European Parliament to sensitive information, i.e. information classified as 'confidential', 'secret' or 'top secret' whatever its origin, medium or state of completion, held by the Council in the field of security and defence policy and the handling of documents so classified. For documents classified as 'confidential', 'secret' or 'top secret', Parliament has until now been subject to the same restrictions as the public. Under the new agreement, the President of Parliament and a special committee, chaired by the chairman of the Foreign Affairs Committee and including four members designated by the Conference of Presidents, will be informed by the Council Presidency or the High Representative of the content of sensitive documents if these are needed for Parliament to perform its democratic functions (please refer to the summary of the Parliament's resolution dated 23/10/2002). The interinstitutional agreement will provide the European Parliament with treatment comparable to practices in the Member States, where specific mechanisms govern the transmission and handling of classified information by governments and national parliaments. Equally, at the time of adoption of the interinstitutional agreement, a decision was adopted which establishes the mechanisms and security measures for the reception, confidential handling and the use of sensitive information within Parliament. This Decision shall be annexed to Parliament's Rules of Procedure and shall enter into force on 30 November 2002. This Interinstitutional Agreement shall be implemented in conformity with the relevant applicable regulations and in particular with the principle according to which the consent of the originator is a necessary condition for the transmission of classified information. Consultation of sensitive documents by the members of the Special Committee of the European Parliament shall take place in a secured room at the Council premises. This Interinstitutional Agreement shall enter into force after the European Parliament has adopted internal security measures which are in accordance with the principles laid down in the Agreement and comparable to those of the other institutions in order to guarantee an equivalent level of protection of the sensitive information concerned.