



DOCUMENT II:

PROCEDURAL GUIDELINES ON THE PROVISIONS OF CHAPTER IV AND ANNEX OF THE FRAMEWORK AGREEMENT

CLASSIFICATION LEVEL

RECORD OF CHANGES		
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20/07/2009	v.7.0	V.6.0 with new shape and title
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08/11/2004	v.5.0	Modified version
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The content of this document expands and explains the provisions of Part 4 "Security of Classified Information" and the Annex of the Framework Agreement between the French Republic, the Federal Republic of Germany, the Italian Republic, the Kingdom of Spain, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland dated 27 July 2000, concerning measures to facilitate the Restructuring and operation of the European Defence Industry (European Defence Industry Restructuring Framework Agreement : EDIR/FA).

The national representatives of SC3 agreed that:

The measures identified at Part 4 of the Framework Agreement are applicable to all national defence classified information exchanged between the Parties and their Defence industry. EDIR/FA provisions apply to the following facilities (provided they have an applicable security clearance):

- industrial facilities dedicated to defence equipment procurement
- contractors
- government laboratories when they are involved with defence equipment procurement or support activities
- government establishments when they are involved with defence equipment procurement or support activities

1. Security requirements in Memoranda of Understanding (MoU) for international programmes:

Security clauses to be included in Memoranda of Understanding for co-operative programmes between EDIR/FA Parties, will use the attached Document III as a basic guideline.

2. Consultation process:

Article 23 (paragraphs 5 and 6) and the Annex of the EDIR/FA, establish a consultation process so that individuals not belonging to the EDIR/FA Parties may be granted approval to have access to classified information.

In order to ease the process, the requesting NSA/DSA may provide details of the information to be accessed by the individual and any other relevant information.

This process will be carried out using the form currently in force at that moment, bearing in mind that this procedure shall be made for each nationality. An example of this form is given in the attached Document IV.



3. Visits:

In addition to the provisions of Article 26 and the Annex of the EDIR/FA, the following provisions will apply:

- 3.1. Assurance that the facilities to be visited have been granted a Facility Security Clearance (FSC), shall be formally provided using the form currently in force at that moment. An example of this form is given in the attached Document V.
- 3.2. Assurance that visitors have an appropriate Personal Security Clearance (PSC) will be formally provided using the form in force at that moment – EDIR/FA RFV (Request For Visit). An example of this form is given in the attached Document VI.

4. Transmission of classified information

4.1. Commercial Courier Companies

The use of commercial courier companies as an alternative means for transmission of classified information at Confidential level in urgent cases is defined in paragraph 3.1 of the Security Annex to the FA.

Any industry based on the territory of a Party of the EDIR/FA must ask for approval from its NSA/DSA before transmitting such information through a commercial courier company.

4.2. Other approved channels for Secret and Confidential information

Article 25 (paragraph 1) of the EDIR/FA stipulates that the NSAs/DSAs may approve other channels for the transmission of Secret and Confidential information.

The NSAs/DSAs have approved the following transmission channel, when the use of diplomatic channels can not meet the required urgency:

- hand carriage (the detailed procedure is given in the attached Document VII)

4.3. Alternative means for Restricted information

The Annex (paragraph 3.3) of the EDIR/FA states that Restricted information may be transmitted or accessed electronically via a public network like the internet, using commercial encryption devices mutually accepted by the relevant national authorities.

The NSAs/DSAs have agreed to include such devices in a list which will be periodically updated. The current version of this list is in the attached Document VIII.



5. Notification of Personal Security Clearance:

Article 21 (paragraph 1) of the EDIR/FA states that if a clearance is issued by a Party for a national of another Party, this other Party shall be notified using the form in force at that moment.

An example of this form is given in the attached Document IX.