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WESTERN
EUROPEAN
UNION



Treaty Series No. 72 (1999)

WEU Security Agreement

Brussels, 28 March 1995

[The United Kingdom instrument of ratification was deposited on 21 January 1999 and the Agreement entered into force for the United Kingdom on 20 February 1999]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
November 1999*

WEU SECURITY AGREEMENT

The High Contracting Parties, hereafter referred to as “the Parties”, to the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, signed at Brussels on March 17, 1948¹, as modified and completed by the Protocol signed at Paris on October 23, 1954², and by the other Protocols and Annexes forming an integral part thereof, hereinafter referred to as “the Treaty”;

- considering the decisions taken by the High Contracting Parties to the Treaty establishing the European Union regarding the implementation of a Common Foreign and Security Policy and the Declaration on the Western European Union thereon;
- affirming that effective political consultations, technical and industrial collaboration, cooperation and operational planning within the framework of humanitarian and peacekeeping tasks as well as operations for the purpose of crisis management serve the purpose of achieving the objectives of the Treaty and the aforementioned Declaration;
- recognizing that the activities aimed at achieving these objectives require the exchange of classified information and related material among the Parties;
- recognizing the need for a revision of the resolution concerning security within Western European Union adopted by the Council of the Western European Union in WEU document C(90)53 dated 21 May 1990³;
- acting on their behalf and on behalf of Western European Union;

have agreed as follows:

ARTICLE 1

The Parties shall:

- 1) protect and safeguard the classified information and material of the other Parties;
- 2) maintain the security classification established by any Party with respect to information and material originating from that Party, and make every effort to safeguard such information and material accordingly;
- 3) not use such information and material for purposes other than those laid down in the Treaty and the decisions and resolutions pertaining to that Treaty;
- 4) not disclose such information and material to third Parties without the consent of the originator.

ARTICLE 2

Pursuant to Article 1 of this Agreement, a national security organization and programmes shall be established by the Parties, founded on agreed basic principles and minimum standards of security which shall be implemented in the security protection systems of the Parties to ensure that a common standard of protection is applied.

¹Treaty Series No. 1 (1949) Cmd. 7599.

²Treaty Series No. 39 (1955) Cmd. 9498.

³Not published.

ARTICLE 3

- 1) The Parties shall ensure that all persons of their respective nationality who, in the conduct of their official duties, require or may have access to information or material classified **confidential** or above are appropriately cleared before they take up their duties.
- 2) The security clearance procedures shall be designed to determine whether an individual can, taking into account his loyalty and trustworthiness, have access to classified information without constituting a risk to security.
- 3) Upon request, the Parties shall provide mutual assistance with regard to the security clearance procedure.

ARTICLE 4

Article 1 of this Agreement applies to classified information and material disclosed or made available by any Party to another Party or disclosed or made available by a Party to subsidiary bodies of the Council and vice-versa.

ARTICLE 5

The Secretary-General shall ensure that the relevant provisions of this Agreement are applied by the subsidiary bodies of the Council.

ARTICLE 6

This Agreement shall not prevent the Parties from entering into bilateral agreements for the same purpose. Existing bilateral agreements shall remain unaffected.

ARTICLE 7

This Agreement supersedes the resolution concerning security within Western European Union adopted by the Council of WEU in WEU Council document C(90)53 of 21 May 1990.

ARTICLE 8

- 1) This Agreement shall be open for signature to the States Parties to the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, signed at Brussels on March 17, 1948, as modified and completed by the Protocol signed at Paris on October 23, 1954, and by the other Protocols and Annexes forming an integral part thereof.
- 2) The depositary of this Agreement shall be the Government of Belgium.
- 3) The States may express their consent to be bound by this Agreement by:
 - a) signature without reservation as to ratification, acceptance or approval; or
 - b) signature subject to ratification, acceptance or approval followed by ratification, acceptance or approval, or
 - c) accession.

4) This Agreement shall enter into force thirty days after the date on which four States have either signed the Agreement without reservation as to ratification, acceptance or approval or deposited an instrument of ratification, acceptance, approval or accession.

5) In respect of any State depositing an instrument of ratification, acceptance or approval of this Agreement or of accession hereto after the conditions governing its entry into force have been satisfied, the ratification, acceptance, approval or accession shall come into effect thirty days after the date of deposit.

ARTICLE 9

1) After the entry into force, this Agreement shall be open to accession by States becoming a party to the Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, signed at Brussels on March 17, 1948, as modified and completed by the Protocol signed at Paris on October 23, 1954, and by the other Protocols and Annexes forming an integral part thereof.

2) In respect of any acceding State, the Agreement shall enter into force thirty days after the date of the deposit of the instrument of accession with the depositary.

ARTICLE 10

This Agreement may be denounced by any Party by written notice of denunciation given to the depositary which shall inform all other Parties of such notice. Such denunciation shall take effect one year after receipt of notification by the depositary, but shall not affect obligations already contracted and the rights or prerogatives previously acquired by the Parties under the provisions of this Agreement.

In witness whereof the undersigned, duly authorized thereto by their respective Governments, have signed this Agreement.

Done at Brussels, this 28th day of March 1995, in a single copy in the English and French languages, each text being equally authoritative, which shall be deposited in the archives of the Belgian Government and of which certified copies shall be transmitted by that Government to each of the other signatories.

**SIGNATURE, RATIFICATIONS, ACCEPTANCES, EFFECTIVE DATES AND
DECLARATIONS**

<i>State</i>	<i>Action</i>	<i>Date</i>	<i>Effective date</i>
Belgium	Signature	28:03:1995	
France	Signature	28:03:1995	28:11:1996
Germany F R	Signature	28:03:1995	
	Ratification	5:12:1997	4:1:1998
Greece	Signature	28:3:1995	
	Ratification	18:8:1998	18:9:1998
Italy	Signature	28:3:1995	
	Ratification	26:9:1997	26:10:1997
Luxembourg	Signature	28:3:1995	
Netherlands The ¹	Signature	28:3:1995	
	Declaration	28:3:1995	
	Acceptance	29:10:1996	28:11:1996
Portugal	Signature	28:3:1995	28:11:1996
Spain	Signature	28:3:1995	
	Ratification	19:2:1996	28:11:1996
United Kingdom	Signature	28:3:1995	
	Ratification	21:1:1999	20:2:1999

Notes:

¹ “. . .Netherlands declares that it considers it desirable to evaluate the terms of this Agreement in the course of the completion of corresponding arrangements within the European Union.”



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