

September, 2018

## **PERSONNEL AND FACILITY SECURITY CLEARANCE CERTIFICATE**

Individuals who, based on their position, (must) have access to classified information, need to hold a specific clearance. The main purpose of this so-called “security clearance” is to support the physical security risk management process and to protect sensitive information by limiting access to those persons who may be expected to offer sufficient guarantees with respect to legality, transparency and professional secrecy. This clearance is not just applicable to physical persons and neither is it necessarily related to the access to classified information. Legal entities that, for example, want to bid for government contracts in sensitive sectors and all individuals who are offered an employment contract at the European Central Bank and all non-staff members may also be screened.

An organization can only apply for a facility security clearance when it is necessary to access classified information, in order to respond to a request or contractual performance. A Company cannot apply for the Facility Clearance of its own accord.

The Cyprus National Security Authority issues two types of security clearance certificates: Personnel Security Clearance (PSC) certificate and Facility Security Clearance (FSC) certificate.

Furthermore, certain authorities may require a personnel security certificate for persons that are given access to locations where classified documents are stored, even though they are not required to access them. This refers to, for instance, the situation of a visitor or a cleaning team.

An alternative type of a security certificate, i.e. a certificate for persons who want to access rooms for a limited period of time, buildings or sites related to functions of public authorities or European Conferences or specific national or international, diplomatic or ceremonial events and where there is a specific threat (e.g. terrorism).

In order for the Council of Europe to be able to work in all areas which require the use of EU Classified Information (EUCI), a comprehensive security system is needed to protect this pool of information. These principles and standards apply to the Council and its General Secretariat and they need to be respected by member states when they handle EUCI.

In order to receive a security clearance, such individual must meet the need-to-know principle, i.e. to have a need to access classified information and to meet the conditions stipulated in the Law on Classified Information.

EU classified information is categorised in four levels, which are defined below:



1. **TRÈS SECRET UE/EU TOP SECRET:** the unauthorised disclosure of this information could cause exceptionally grave prejudice to the essential interests of the EU or one or more of the member states.
2. **SECRET UE/EU SECRET:** the unauthorised disclosure of this information could seriously harm the essential interests of the EU or one or more of the member states.
3. **CONFIDENTIEL UE/EU CONFIDENTIAL:** the unauthorised disclosure of this information could harm the essential interests of the EU or one or more of the member states.
4. **RESTREINT UE/EU RESTRICTED:** the unauthorised disclosure of this information could be disadvantageous to the interests of the EU or one or more of the member states.
5. After the whole procedure is finalised, and in case where the conditions stipulated in the Law on Classified Information have been met, the National Security Authority will issue the requested security clearance certificate.

The purpose of this legal briefing is to provide a general guideline on the subject and not to be considered, in any way, as legal advice. It is advisable to seek professional and legal advice on this subject before proceeding with any general information provided to you. For further clarifications and advice please contact us at [legal@economideslegal.com](mailto:legal@economideslegal.com).

---

**Xenia Kasapi**, LL.B, LL.M, MCI Arb  
Advocate - Head of Data Protection and Privacy Department

xenia.kasapi@economideslegal.com  
T: +357 25 866 480