

No. 46653

**Latvia
and
Luxembourg**

Agreement on the exchange and the mutual protection of classified information between the Government of the Republic of Latvia and the Government of the Grand-Duchy of Luxembourg. Luxembourg, 13 September 2007

Entry into force: *4 February 2009 by notification, in accordance with article 16*

Authentic texts: *English, French and Latvian*

Registration with the Secretariat of the United Nations: *Latvia, 12 October 2009*

**Lettonie
et
Luxembourg**

Accord entre le Gouvernement du Grand-Duché de Luxembourg et le Gouvernement de la République de Lettonie concernant l'échange et la protection réciproque des informations classifiées. Luxembourg, 13 septembre 2007

Entrée en vigueur : *4 février 2009 par notification, conformément à l'article 16*

Textes authentiques : *anglais, français et letton*

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**AGREEMENT ON THE EXCHANGE AND THE MUTUAL
PROTECTION OF CLASSIFIED INFORMATION
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF LATVIA
AND
THE GOVERNMENT OF THE GRAND-DUCHY OF LUXEMBOURG**

The Government of the Republic of Latvia and the Government of the Grand-Duchy of Luxembourg, hereinafter referred to as “the Parties”,

in order to guarantee the protection of the classified information exchanged between the Parties or transferred through public or private companies or organisations that deal with classified information of the Parties,

have agreed as follows:

ARTICLE 1 DEFINITIONS

For the purposes of the present Agreement:

1) ‘Classified information’ means any information, regardless of its form, nature and means of transfer, determined to require protection against unauthorised disclosure, which has been so designated by security classification, in accordance with the national laws and regulations in force of the originating Party;

2) ‘Competent Security Authority’ means the institution of each Party authorised and responsible for ensuring the protection of classified information transferred, received or generated in the course of the joint activities realised within the framework of the present Agreement in their own territory in accordance with its national laws and regulations and for the coordination of the implementation of the present Agreement;

3) ‘Originating Party’ means the Party initiating the classified information as represented by the Competent Security Authority;

4) ‘Receiving Party’ means the Party to which the classified information is transferred as represented by the Competent Security Authority;

5) ‘Third party’ means any state, organisation or legal entity which is not a Party to the present Agreement;

6) ‘Personnel security clearance’ means a determination by the Competent Security Authority or other relevant state authority that an individual is eligible to have access to and to handle classified information up to the level defined in the clearance;

7) ‘Facility security clearance’ means a determination by the Competent Security Authority or other relevant state authority that, from a security point

of view, a facility has the physical and organisational capability to receive, handle and process classified information in accordance with its national laws and regulations;

8) 'Need-to-know' means that access to classified information may only be granted to an individual or legal entity which has a verified requirement for knowledge of or possession of such information in order to perform official and professional duties;

9) 'Contractor' means an individual or a legal entity possessing the legal capability to undertake classified contracts;

10) 'Classified contract' means an agreement between two or more contractors creating and defining enforceable rights and obligations between them, which contains or involves classified information;

11) 'Project security instructions' means a compilation of security requirements, which are applied to a classified contract in order to standardize security procedures;

12) 'Project security classification guide' means the part of the project security instructions which identifies the elements of the contract that are classified and specifies their security classification levels.

ARTICLE 2 SCOPE OF APPLICATION

In accordance with their national laws and regulations, both Parties shall take all appropriate measures to ensure the protection of the classified information, which is transferred, received, produced or developed within the framework of the present Agreement.

Article 3 SECURITY CLASSIFICATIONS

The Parties agree that the following security classification levels are equivalent and correspond to the security classification levels specified in the respective national laws and regulations:

| Republic of Latvia | Grand-Duchy of Luxembourg | Equivalence in English |
|--------------------|---------------------------|------------------------|
| SEVIŠKI SLEPENI | TRES SECRET LUX | TOP SECRET |
| SLEPENI | SECRET LUX | SECRET |

| | | |
|------------------------|------------------|--------------|
| KONFIDENCIĀLI | CONFIDENTIEL LUX | CONFIDENTIAL |
| DIENESTA VAJADZĪBĀM | RESTREINT LUX | RESTRICTED |

ARTICLE 4

COMPETENT SECURITY AUTHORITIES

1. The Competent Security Authorities of the States of the Parties are as follows:

For the Republic of Latvia:

Constitution Protection Bureau
Miera iela 85a
Rīga, LV 1001
Latvia

For the Grand Duchy of Luxembourg:

Service de Renseignement
Autorité Nationale de Sécurité
Boîte Postale 2379
L- 1023 Luxembourg

2. The Competent Security Authorities shall inform each other of the national laws and regulations in force on their respective territories regulating the protection of classified information.

3. In order to ensure close cooperation in the implementation of the present Agreement, the Competent Security Authorities shall, on request, provide each other with information about the security standards, procedures and practices employed by the respective Party for the protection of classified information.

ARTICLE 5

SECURITY PRINCIPLES

The protection and handling of classified information exchanged between the Parties is ruled by the following principles:

1) The receiving Party shall afford to all of the transferred, received, produced or developed classified information the same degree of security protection and marking as is provided for its classified information of the equivalent level of