

No. 47482

**Spain
and
Finland**

Agreement between the Kingdom of Spain and the Republic of Finland on the mutual protection of classified information. Madrid, 9 June 2009

Entry into force: *1 May 2010 by notification, in accordance with article 14*

Authentic texts: *English, Finnish and Spanish*

Registration with the Secretariat of the United Nations: *Spain, 3 May 2010*

**Espagne
et
Finlande**

Accord entre le Royaume d'Espagne et la République de Finlande relatif à la protection mutuelle des informations classifiées. Madrid, 9 juin 2009

Entrée en vigueur : *1^{er} mai 2010 par notification, conformément à l'article 14*

Textes authentiques : *anglais, finnois et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *Espagne, 3 mai 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT
BETWEEN
THE KINGDOM OF SPAIN
AND
THE REPUBLIC OF FINLAND
ON THE MUTUAL PROTECTION
OF CLASSIFIED INFORMATION**

The Kingdom of Spain

And

the Republic of Finland,

hereinafter referred to as the “Parties”, desirous of laying down an agreement on the mutual protection of Classified Information,

Have agreed as follows:

Article 1

Purpose and Scope of Application

The purpose of this Agreement is to protect Classified Information provided by one Party to the other Party for purposes of foreign affairs, defence, security and industrial matters, or transmitted within the context of the implementation or preparation of Classified Contracts, or arising or produced within the context of an activity falling within the scope of application of this Agreement.

Article 2

Definitions

For the purposes of this Agreement:

- a) Classified Information means information, documents or material of whatever form, nature or method of transmission provided by one Party to the other Party and to which a Security Classification level has been applied and which have been marked accordingly under national regulations, as well as any information, documents or material that have been generated on the basis of such Classified Information and marked accordingly;
- b) Classified Contract means any pre-contractual negotiations, contracts, subcontracts or other approved arrangement with or between contractors under the jurisdiction of either Party in order to supply products, execute works or provide services involving access to or generation of Classified Information;
- c) Originating Party means the Party, as well as any other State bodies or legal public and private entities under its jurisdiction providing Classified Information.

- d) Recipient Party means the Party, as well as any other State bodies or legal public and private entities under its jurisdiction, to which Classified Information is transmitted.
- e) Personnel Security Clearance means a determination by the Competent Security Authority that an individual is eligible to have access to Classified Information, in accordance with national regulations, and has been briefed accordingly;
- f) Facility Security Clearance means a determination by the Competent Security Authority that, from a security point of view, a facility has the physical and organisational capability to handle Classified Information, in accordance with national regulations;

Article 3 **Competent Security Authorities**

1. The National Security Authorities designated by the Parties as responsible for the general implementation and the relevant controls of all aspects of this Agreement are:

In the Kingdom of Spain:

Secretary of State, Director of the National Intelligence Centre
National Office of Security
Avda. Padre Huidobro s/n
28230 Madrid
SPAIN

In the Republic of Finland:

Ministry for Foreign Affairs
National Security Authority
Kanavakatu 3^a
P.O.B. 453, 00023 Government
SUOMI – FINLAND

2. The Parties shall inform each other in writing of any subsequent changes of the National Security Authorities.
3. The National Security Authorities shall notify each other of any other Competent Security Authorities that are responsible for the implementation of this Agreement.

Article 4

Classification

1. The levels of classification shall correspond to one another as follows:

The Kingdom of Spain	The Republic of Finland
SECRETO	ERITTÄIN SALAINEN
RESERVADO	SALAINEN
CONFIDENCIAL	LUOTTAMUKSELLINEN
DIFUSIÓN LIMITADA	KÄYTTÖ RAJOITETTU

2. The Recipient Party may alter the classification level or declassify the transmitted Classified Information only with prior written consent from the Originating Party.
3. The Competent Security Authority of the Recipient Party may request the Competent Security Authority of the Originating Party to alter the security classification or supply reasons for the choice of a given level of classification.

Article 5

Mutual Protection of Classified Information

1. The Parties shall take all appropriate measures under their national regulations so as to protect Classified Information referred to in this Agreement. They shall afford such information the same protection as they afford to their own information at the corresponding level of classification.
2. The Parties shall not provide access to Classified Information to international organisations or to officials, legal entities or nationals of third countries without prior written consent of the Competent Security Authority of the Originating Party.
3. Classified Information shall be used solely for the purpose for which it has been provided.
4. Access to Classified Information shall be limited to persons who have a need-to-know and who, according to national regulations, have been security cleared and authorised to have access to such information as well as briefed accordingly.
5. The Competent Security Authorities shall, on request and in accordance with national regulations, assist each other during personnel security