

No. 48447

**United Kingdom of Great Britain and Northern Ireland
and
Russian Federation**

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Russian Federation on the organisation of the direct encrypted communications system between the United Kingdom of Great Britain and Northern Ireland and the Russian Federation. London, 15 February 2011

Entry into force: *15 February 2011 by signature, in accordance with article 10*

Authentic texts: *English and Russian*

Registration with the Secretariat of the United Nations: *United Kingdom of Great Britain and Northern Ireland, 18 March 2011*

**Royaume-Uni de Grande-Bretagne et d'Irlande du Nord
et
Fédération de Russie**

Accord entre le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et le Gouvernement de la Fédération de Russie relatif à l'organisation du système direct de communications chiffrées entre le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et la Fédération de Russie. Londres, 15 février 2011

Entrée en vigueur : *15 février 2011 par signature, conformément à l'article 10*

Textes authentiques : *anglais et russe*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE RUSSIAN FEDERATION ON THE
ORGANISATION OF THE DIRECT ENCRYPTED COMMUNICATIONS
SYSTEM BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND AND THE RUSSIAN FEDERATION**

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Russian Federation, hereinafter referred to as the Parties, seeking the further development of Russo-UK relations, and considering their mutual interest in the creation and development of technical capabilities for confidential contacts at the highest level, have agreed the following:

ARTICLE 1

The Parties shall set up a direct encrypted communications system between the Russian Federation and the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the encrypted communications system), which will be a complex of technologically interconnected equipment and communications channels and will be designed to guarantee the encrypted communications of the highest leadership of both states in crisis situations as well as in ordinary circumstances.

ARTICLE 2

The composition and quantity both of the technical equipment and of the communications channels between the Russian Federation and the United Kingdom of Great Britain and Northern Ireland included in the encrypted communications system will be determined by the volumes and types of information required for transmission.

In order to guarantee the appropriate level of reliability in the encrypted communications system, the communications channels will take geographically diverse routes.

ARTICLE 3

1. The competent bodies responsible for implementing this Agreement (hereinafter referred to as the competent bodies) are:

from the Russian Federation - the Federal'naya Sluzhba Okhrany (Federal Protective Service) of the Russian Federation;

from the United Kingdom of Great Britain and Northern Ireland - the Information and Communications Service of the Prime Minister's Office.

The Parties shall immediately inform each other via diplomatic channels of any change to their competent bodies.

2. The competent bodies shall jointly:

define the configuration and technical parameters of the communications channels, and also the specific types of equipment and encryption devices to be used;

guarantee technical maintenance, uninterrupted operation and security of the encrypted communications system;

draw up recommendations and rules for the running of the encrypted communications system and examine and resolve questions relating to the introduction of changes to its configuration and mode of operation.

ARTICLE 4

The Parties' competent bodies shall ensure that meetings are held between technical experts to resolve questions relating to the setting up, operation and improving of the encrypted communications system. The times and locations of such meetings shall be determined by agreement between the Parties' competent bodies.

ARTICLE 5

In accordance with its national law, each Party shall bear the expenses for the setting up, operation and improving of the encrypted communications system on its own national territory. The cost of any possible leasing of communications channels situated outside the territory of the Russian Federation and the territory of the United Kingdom of Great Britain and Northern Ireland will be paid for by the Parties equally.

The Parties may reach an agreement about some other arrangement for paying for the setting up, operation and improving of the encrypted communications system. The detailed division of the expenses shall be determined by agreement between the Parties' competent bodies.

The carrying out of activity within the framework of this Agreement shall be dependent on the availability of funds allocated for these purposes.

ARTICLE 6

The construction, operational maintenance and repair of installations required for the secure and reliable operation of the encrypted communications system in the Russian Federation shall be carried out using man-power and resources of the Russian Party, and in the United Kingdom of Great Britain and Northern Ireland, using man-power and resources of the UK Party.

Each of the Parties shall take appropriate measures to ensure the uninterrupted operation of the encrypted communications system on its own territory. In the event of disruption of the operation of the encrypted communications system owing to a fault in it beyond the national borders of the Parties, the Parties shall take measures to restore its operation in accordance with procedures established by the International Telecommunications Union.

ARTICLE 7

1. The concepts used in protecting classified information within the framework of this Agreement have the following meaning:

"classified information" is information that, regardless of how it is presented, is protected in accordance with statutory and other normative legal acts of each Party, is transmitted (received) in a manner laid down by each of the Parties, the unauthorised dissemination of which may harm the security and/or interests of the Russian Federation and/or the United Kingdom of Great Britain and Northern Ireland;

"classified information media" are material objects, including physical fields, in which classified information is represented in the form of characters, images, signals, technical solutions and processes;

"classification marking" is an essential detail, written on the medium itself and/or in accompanying documentation, indicating the classification level of the information contained on the medium;

"classified information clearance" is the procedure for registering the right of individuals to access classified information, and the right of competent bodies to carry out work using such information;

"access to classified information" is an individual's exposure, authorised in accordance with a Party's national law, to classified information, said individual having the appropriate clearance for such information;

"competent body for the protection of classified information" is a body that is authorised in accordance with statutory and other normative legal acts of the Party to transmit, receive, store, protect and use classified information and that is responsible for its protection.

2. The classification levels and their corresponding classification markings are as follows:

Russian Federation

Совершенно секретно
Секретно

**United Kingdom of Great Britain
and Northern Ireland**

Top Secret
Secret

3. A decision regarding the transmission of classified information will be taken by a Party in each individual instance in accordance with statutory and other normative legal acts of that Party.

The delivery of classified information media from one Party to the other Party will take place via diplomatic channels, in accordance with international treaties in force between the Parties. The appropriate competent body for the protection of classified information will confirm receipt of the classified information media. With the agreement of the competent bodies, other methods may be used for the delivery of classified information media.

4. The Parties shall immediately inform each other via diplomatic channels of any change to their competent bodies for the protection of classified information.

5. All classified information media received shall be clearly marked by the competent body for the protection of classified information with the corresponding level of classification in accordance with this article.

This obligation extends to classified information media formed in the course of co-operation between the Parties or obtained as a result of translation, copying or replication.

In relation to all such classified information media, the level of classification marked shall correspond to the classification marking of the classified information received.

6. Each Party's handling of classified information media, their registration and storage will be done in accordance with the requirements in force in relation to classified information of that Party.

7. Classified information media will be returned or destroyed with the written permission of the competent body for the protection of classified information of the Party that sent them.

The destruction of classified information media shall be documented, and the destruction process must exclude the possibility of the classified information being reproduced or restored.