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**Slovakia
and
Luxembourg**

Agreement between the Government of the Slovak Republic and the Government of the Grand Duchy of Luxembourg on exchange and mutual protection of classified information. Bratislava, 26 July 2011

Entry into force: *1 August 2013, in accordance with article 14*

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**Slovaquie
et
Luxembourg**

Accord entre le Gouvernement du Grand-Duché de Luxembourg concernant l'échange et la protection réciproque d'informations classifiées. Bratislava, 26 juillet 2011

Entrée en vigueur : *1^{er} août 2013, conformément à l'article 14*

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Agreement
between
the Government
of the Slovak Republic
and
the Government
of the Grand Duchy of Luxembourg
on Exchange and Mutual Protection
of Classified Information

**The Government of the Slovak Republic
and
the Government of the Grand Duchy of Luxembourg**

(hereinafter referred to as “the Parties”),

Wishing to ensure protection of Classified Information exchanged between the States of the Parties or between the public legal entities and private legal entities under their jurisdiction, with respect to the national interests and security,

Have agreed as follows:

**Article 1
Objective and Scope**

1. The objective of this Agreement is to ensure protection of Classified Information that is commonly generated or exchanged between the States of the Parties.
2. This Agreement may not be invoked by either Party to obtain Classified Information that the other Party has received from a third party.

**Article 2
Definitions**

For the purposes of this Agreement:

- a) **“Classified Information”** means any information, document or material, irrespective of its form or nature, generated by or exchanged between the States of the Parties, requiring protection against unauthorized manipulation and having been classified in accordance with the respective national legislations;
- b) **“Originating Party”** means the State of the Party which transmits Classified Information to the State of the other Party;
- c) **“Receiving Party”** means the State of the Party which Classified Information is transmitted to by the State of the other Party;
- d) **“Competent Security Authority”** means the national security body responsible for the implementation and supervision of this Agreement;
- e) **“Classified Contract”** means a contract or subcontract between two or more Contractors, which contains or involves Classified Information;
- f) **“Contractor”** means an individual or a legal entity possessing the legal capacity to conclude Classified Contracts;
- g) **“Facility Security Clearance”** means the determination by the Competent Security Authority confirming, that the legal entity has the physical and organizational capability to use and store Classified Information in accordance with the respective national legislation;

- h) **“Personnel Security Clearance”** means the determination by the Competent Security Authority confirming, in accordance with the respective national legislation, that the individual is eligible to have access to Classified Information;
- i) **“Need-to-know”** means the necessity to have access to Classified Information in the scope of a given official position and for the performance of a specific task;
- j) **“Third Party”** means any State, organization, legal entity or individual, which is not a party to this Agreement.

Article 3 Security Classification Levels

The Parties agree that the following security classification levels are equivalent and correspond to the security classification levels specified in the national legislation of their respective States:

For the Slovak Republic	For the Grand Duchy of Luxembourg
PRÍSNE TAJNÉ	TRES SECRET LUX
TAJNÉ	SECRET LUX
DÔVERNÉ	CONFIDENTIEL LUX
VYHRADENÉ	RESTREINT LUX

Article 4 Competent Security Authorities

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

For the Slovak Republic:

Národný bezpečnostný úrad

For the Grand Duchy of Luxembourg:

Service de Renseignement de l'Etat

Autorité nationale de Sécurité

2. The States of the Parties shall inform each other through diplomatic channels of any modification of contact data of the Competent Security Authorities.
3. On request, the Competent Security Authorities shall inform each other of respective national legislation on Classified Information and shall exchange information about the security standards, procedures and practices for the protection of Classified Information.

Article 5

Protection of Classified Information

1. In accordance with their national legislation, the States of the Parties shall take all appropriate measures for the protection of Classified Information, which is exchanged or generated under this Agreement. The same level of protection shall be assigned to such Classified Information as is provided for the national Classified Information of the equivalent security classification level in accordance with the Article 3.
2. The Originating Party shall inform the Receiving Party in writing about any change of the security classification level of the transmitted Classified Information.
3. Access to Classified Information shall be limited to persons on a Need-to-know basis who are authorized in accordance with the national legislation to have access to Classified Information of the equivalent security classification level.
4. Within the scope of this Agreement, State of each Party shall mutually recognize the Personnel and Facility Security Clearances granted in accordance with the national legislation of the State of the other Party. The security clearances shall be equivalent in accordance with Article 3.
5. The Competent Security Authorities shall, in accordance with the national legislation, assist each other upon request at carrying out vetting procedures necessary for the application of this Agreement.
6. Within the scope of this Agreement, the Competent Security Authorities shall inform each other without delay about any alteration with regard to Personnel and Facility Security Clearances, in particular about their withdrawal or downgrading.
7. The Receiving Party shall:
 - a) submit Classified Information to any Third Party only upon prior written consent of the Originating Party;
 - b) mark the received Classified Information in accordance with the Article 3;
 - c) use Classified Information solely for the purposes it has been provided for.

Article 6

Transmission of Classified Information

1. Classified Information shall be transmitted in accordance with the respective national legislation through diplomatic channels unless otherwise approved on by the Competent Security Authorities. The Receiving Party shall confirm the receipt of Classified Information in writing.
2. Electronic transmission of Classified Information shall be carried out through certified cryptographic means approved on by the Competent Security Authorities.