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**Switzerland
and
Finland**

Agreement between the Swiss Federal Council and the Government of the Republic of Finland on mutual protection of classified information (with annexes). Solothurn, 28 January 2014

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**Suisse
et
Finlande**

Accord entre le Conseil fédéral suisse et le Gouvernement de la République de Finlande relatif à la protection mutuelle des informations classifiées (avec annexes). Soleure, 28 janvier 2014

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Agreement

between

the Swiss Federal Council

and

**the Government of the Republic of
Finland**

on

**Mutual Protection of Classified
Information**

The Swiss Federal Council and the Government of the Republic of Finland, hereinafter referred to as “the Parties”,

bearing in mind that the Parties may but are not obliged to exchange Classified Information in the framework of this Agreement

recognising that when exchanging Classified Information it shall be handled in accordance with the principles governed in this Agreement

in order to protect Classified Information relating for example to foreign affairs, defence, security or scientific, industrial and technological matters and exchanged directly between the Parties, or public or private legal entities or individuals that deal with Classified Information under the jurisdiction of the Parties,

have agreed as follows:

Article 1

Purpose and Scope of Application

The purpose of this Agreement is to ensure the protection of Classified Information that is exchanged or created in the process of co-operation between the Parties.

Article 2

Definitions

For the purposes of this Agreement:

a) *Classified Information* means any information, document 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 has been marked accordingly under national laws and regulations, as well as any information, document or material that has been generated on the basis of such Classified Information and marked accordingly;

b) *Classified Contract* means any contract or sub-contract, including pre-contractual negotiations, which contains or involves Classified Information;

c) *Originating Party* means the Party, as well as any public or private legal entity or individual under its jurisdiction, releasing Classified Information;

d) *Receiving Party* means the Party, as well as any public or private legal entity or individual under its jurisdiction, to which the Classified Information is released by the Originating Party;

e) *Competent Security Authority* means a National Security Authority, a Designated Security Authority or any other competent body authorised according to the national laws and regulations of the Parties which is responsible for the implementation of this Agreement;

f) *Breach of Security* means an act or an omission contrary to national laws and regulations which may lead to the loss or compromise of Classified Information;

g) *Security Clearance* means a positive determination following an investigative procedure in accordance with national laws and regulations to ascertain the eligibility of an entity (Facility Security Clearance, FSC) or individual (Personnel Security Clearance, PSC) to have access to and to handle Classified Information on a certain level.

Article 3

Competent Security Authorities

1. The National Security Authorities (NSAs) designated by the Parties as responsible for the general implementation of this Agreement are:

<u>In the Swiss Confederation :</u>	<u>In the Republic of Finland</u>
<i>Ministry of Defence Directorate for Information Security and Facility Protection (IOS) SWITZERLAND</i>	<i>Ministry for Foreign Affairs National Security Authority (NSA) FINLAND</i>

2. The Parties shall notify each other of any other Competent Security Authorities which shall be responsible for the implementation of aspects of this Agreement.

3. The Parties shall notify each other of any subsequent changes of the Competent Security Authorities.

Article 4

Security Classifications

1. Any Classified Information provided under this Agreement shall be marked with the appropriate security classification level under the national laws and regulations of the Parties.

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

In the Swiss Confederation	In the Republic of Finland	Equivalent in English
no equivalent	ERITTÄIN SALAINEN or YTTERST HEMLIG	“TOP SECRET”
GEHEIM / SECRET / SEGRETO	SALAINEN or HEMLIG	“SECRET”
VERTRAULICH / CONFIDENTIEL / CONFIDENZIALE	LUOTTAMUKSELLINEN or KONFIDENTIELL	“CONFIDENTIAL”
INTERN / INTERNE / AD USO INTERNO	KÄYTTÖ RAJOITETTU or BEGRÄNSAD TILLGÅNG	“RESTRICTED”

3. The English expressions TOP SECRET, SECRET, CONFIDENTIAL and RESTRICTED used in this Agreement correspond to the Swiss and Finnish terms in the table above.

4. The Receiving Party shall ensure that classifications are not altered or revoked, except as authorised in writing by the Originating Party.

5. In case Finland sends classified information marked TOP SECRET supplementary arrangements shall be agreed between the respective Competent Security Authorities.

Article 5

Protection of Classified Information

1. The Parties shall take all appropriate measures under their national laws and 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 classification level.

2. The Parties shall not provide access to Classified Information to Third Parties without the prior written consent of the Originating Party.