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**Spain
and
Georgia**

Agreement between the Kingdom of Spain and Georgia on the exchange and mutual protection of classified information. Madrid, 18 December 2013

Entry into force: *1 November 2014, in accordance with article 17*

Authentic texts: *English, Georgian and Spanish*

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**Espagne
et
Géorgie**

Accord entre le Royaume d'Espagne et la Géorgie concernant l'échange et la protection réciproque d'informations classifiées. Madrid, 18 décembre 2013

Entrée en vigueur : *1^{er} novembre 2014, conformément à l'article 17*

Textes authentiques : *anglais, géorgien et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Espagne,
10 février 2015*

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**AGREEMENT
BETWEEN
THE KINGDOM OF SPAIN
AND
GEORGIA
ON THE EXCHANGE AND MUTUAL PROTECTION
OF CLASSIFIED INFORMATION**

The Kingdom of Spain and Georgia, (hereinafter referred to as the "Parties");

Recognizing the important role of their mutual cooperation for the stabilization of peace, international security and mutual confidence;

Realizing that good co-operation may require the exchange of Classified Information between the Parties;

Desiring to create a set of rules regulating the mutual protection of Classified Information applicable to any future cooperation agreements and Classified Contracts implemented between the Parties, which contain or involve Classified Information;

Have agreed as follows:

ARTICLE 1 OBJECTIVE AND SCOPE

1. The objective of this Agreement is to ensure the protection of Classified Information exchanged or produced in the process of cooperation between the Parties.
2. This Agreement shall be applicable to any activities, contracts, subcontracts or agreements involving Classified Information that have been conducted or concluded between the Parties, as well as to any documents containing Classified Information that have been exchanged between the Parties.

ARTICLE 2 DEFINITIONS

For the purposes of this Agreement:

1. **"Classified Information"** means any information or material regardless of its form, nature or method of transmission which contains information declared by the Parties as Classified Information/State Secrets and which, according to the national laws and regulations of any of them, is marked as such.

2. **“Classified Contract”** means a contract or subcontract between a Party and a Contractor or a Contractor and a Subcontractor, which contains Classified Information or on the basis of which such information is produced, managed or stored.
3. **“Contractor or Subcontractor”** means a person or legal entity possessing the authority to conclude a classified contract according to the terms set forth in this Agreement and the national laws and regulations of the Parties.
4. **“Facility Security Clearance”** means the determination by the Competent Authority that, from a security point of view, a facility has the physical and organisational capability to generate and manage Classified Information, in accordance with the respective national laws and regulations.
5. **“Need-to-know”** means the principle, according to which access to Classified Information may only be granted to a person who has a verified necessity to access to such information in connection with his official duties, within the framework of which the information was released to the Receiving Party.
6. **“Originating Party”** means the Party which releases Classified Information.
7. **“Personnel Security Clearance”** means the determination by the Competent Authority that an individual is eligible to have access to Classified Information, in accordance with the respective national laws and regulations;
8. **“Receiving Party”** means the Party which receives Classified Information from the Originating Party.
9. **“Third Party”** means a country or international organization that is not a Party to this Agreement.

ARTICLE 3 COMPETENT AUTHORITIES

1. The Competent Authorities responsible for the implementation of this Agreement are:
 - a) For Spain:
Secretary of State, Director of the National Intelligence Centre. National Office of Security.
 - b) For Georgia:
Ministry of Internal Affairs of Georgia.
2. Both Competent Authorities, each within the jurisdiction of its own country, shall ensure the protection of the Classified Information transferred in accordance with its national laws and regulations and the provisions established in this Agreement.
3. In order to achieve and maintain comparable standards of security, the Competent Authorities shall, on request, provide each other with the information about its security organization and procedures and shall enable visits to their countries by representatives properly cleared from the other Party.

ARTICLE 4 CLASSIFICATION MARKINGS

1. The Parties agree that the following classification markings are equivalent and correspond to the ones specified in their national laws and regulations:

For Spain	For Georgia
SECRETO	განსაკუთრებული მნიშვნელობის gansakutrebuli mnishvnelobis
RESERVADO	სრულიად საიდუმლო sruliad saidumlo
CONFIDENCIAL	საიდუმლო saidumlo
DIFUSIÓN LIMITADA	შეზღუდული სარგებლობისთვის shezguduli sargeblobistvis