

**No. 53081\***

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**Spain  
and  
Slovenia**

**Agreement between the Kingdom of Spain and the Republic of Slovenia on the exchange and mutual protection of classified information. Madrid, 21 October 2014**

**Entry into force:** *1 November 2015 by notification, in accordance with article 17*

**Authentic texts:** *English, Slovene and Spanish*

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**Espagne  
et  
Slovénie**

**Accord entre le Royaume d'Espagne et la République de Slovénie concernant l'échange et la protection réciproque d'informations classifiées. Madrid, 21 octobre 2014**

**Entrée en vigueur :** *1<sup>er</sup> novembre 2015 par notification, conformément à l'article 17*

**Textes authentiques :** *anglais, slovène et espagnol*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Espagne, 1<sup>er</sup> novembre 2015*

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**AGREEMENT**

**BETWEEN**

**THE KINGDOM OF SPAIN**

**AND**

**THE REPUBLIC OF SLOVENIA**

**ON**

**THE EXCHANGE AND MUTUAL PROTECTION**

**OF CLASSIFIED INFORMATION**

The Kingdom of Spain  
and  
the Republic of Slovenia  
hereinafter referred to as the 'Parties',

wishing to ensure the protection of Classified Information exchanged between  
the Parties or between public and private entities under their jurisdiction

have agreed on the following:

## **ARTICLE 1 OBJECTIVE**

In accordance with their national laws and regulations and in respect of national interests and security, both Parties shall take all appropriate measures to ensure the protection of Classified Information, which is transmitted or generated according to this Agreement.

## **ARTICLE 2 SCOPE OF APPLICATION**

- (1) This Agreement sets out procedures for the protection of Classified Information exchanged between the Parties.
- (2) Neither Party shall invoke this Agreement in order to obtain Classified Information that the other Party has received from a Third Party.

## **ARTICLE 3 DEFINITIONS**

For the purposes of this Agreement these terms mean the following:

**Classified Contract:** A contract or a subcontract, including pre-contractual negotiations, that contains Classified Information or involves access to it.

**Classified Information:** Any information, regardless of its form, that is transmitted or generated between the Parties under the national laws and regulations of either Party and requires, in the interests of national security, protection against unauthorised disclosure or other compromise, and is designated as such and marked appropriately by a Party.

**Contractor:** A legal entity possessing the legal capacity to conclude contracts.

**Facility Security Clearance:** A positive determination by the Competent Security Authority that, from a security point of view, a Contractor has the capability to handle Classified Information, in accordance with national laws and regulations.

**Need-to-Know:** A principle by which access to Classified Information may be granted to an individual only in connection with his/her official duties or tasks.

**Originating Party:** The Party, including any public or private entities under its jurisdiction, that releases Classified Information to the Recipient Party.

**Personnel Security Clearance:** A positive determination following an accomplished vetting procedure in accordance with national laws and regulations, on the basis of which an individual is eligible to have access to and to handle Classified Information up to the level defined in the clearance.

**Recipient Party:** The Party, including any public or private entities under its jurisdiction, that receives Classified Information from the Originating Party.

**Third Party:** A state, including any public or private entities under its jurisdiction, or an international organisation that is not a Party to this Agreement.

## **ARTICLE 4**

### **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:

Secretario de Estado, Director del Centro Nacional de Inteligencia  
Oficina Nacional de Seguridad

In the Republic of Slovenia:

Urad Vlade Republike Slovenije za varovanje tajnih podatkov

- (2) The National Security Authorities shall notify each other of any other Competent Security Authorities that are responsible for the implementation of this Agreement.
- (3) The Parties shall inform each other through diplomatic channels of any subsequent changes of the National Security Authorities.

## **ARTICLE 5 SECURITY CLASSIFICATIONS**

- (1) Classified Information released under this Agreement shall be marked with the appropriate security classification level in accordance with national laws and regulations.
- (2) The following national security classification markings are equivalent:

<b>Kingdom of Spain</b>	<b>Republic of Slovenia</b>
SECRETO	STROGO TAJNO
RESERVADO	TAJNO
CONFIDENCIAL	ZAUPNO
DIFUSION LIMITADA	INTERNO

- (3) The level of security classification to be given to the information generated in the process of the mutual cooperation of the Parties shall only be determined, modified or declassified by mutual consent. In the case of disagreement on the level of security classification to be given to such information, the Parties shall adopt the higher level proposed by any of them.

## **ARTICLE 6 ACCESS TO CLASSIFIED INFORMATION**

- (1) Access to Classified Information shall be allowed only to those individuals with a Need-to-Know, who have been briefed on the handling and protection of Classified Information, and who have been duly authorised in accordance with national laws and regulations.