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**Luxembourg
and
Estonia**

Agreement between the Grand Duchy of Luxembourg and the Republic of Estonia on the hosting of data and information systems. Luxembourg, 20 June 2017

Entry into force: *16 May 2018, in accordance with article 10*

Authentic text: *English*

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**Luxembourg
et
Estonie**

Accord entre le Grand-Duché de Luxembourg et la République d'Estonie sur l'hébergement de systèmes de données et d'information. Luxembourg, 20 juin 2017

Entrée en vigueur : *16 mai 2018, conformément à l'article 10*

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AGREEMENT

between

the Grand Duchy of Luxembourg

and

the Republic of Estonia

on the hosting of data and information

systems

The Grand Duchy of Luxembourg and the Republic of Estonia, together referred to as “the Parties”,

HAVING REGARD to the Memorandum of Understanding (MoU) between the Ministry of Economic Affairs and Communications of the Republic of Estonia and the Ministry of Media and Communications of the Grand Duchy of Luxembourg, signed on the 14 of November 2016,

WHEREAS this Agreement is in the spirit of the Vienna Convention on Diplomatic Relations,

WHEREAS the Vienna Convention on Diplomatic Relations is not sufficient to set a legal framework for the hosting of data and information systems,

WHEREAS this Agreement is concluded within the framework of the diplomatic relations between the Grand Duchy of Luxembourg and the Republic of Estonia,

INTENDING to specify the means for effective cooperation between the Parties and support by the Parties which are essential for the successful and effective operation of the premises hosting the Estonian data and information systems,

WISHING to conclude an agreement governing the legal status of the premises hosting the Estonian data and information systems, with the necessary guarantees of immunities and privileges on the basis of existing international and national law,

HAVE AGREED as follows:

Article 1 **Definitions**

For the purposes of this Agreement:

(a) “the data centre” shall mean a facility used to host the data and information systems, the equipment and licences and associated components, such as telecommunications and storage systems;

(b) “the premises” shall mean a dedicated data centre space provided by the Grand Duchy of Luxembourg and meant for the purpose of hosting Estonian data and information systems and equipment;

(c) “the data and information systems” shall mean assets that are stored on the equipment by the Republic of Estonia in the premises;

(d) “the equipment and licences” shall mean the assets owned by the Republic of Estonia and used for the storage of data and information systems which will be agreed upon by the competent authorities of the Parties;

(e) “the competent authorities” shall mean the “Centre des technologies de l’information de l’État (CTIE)” for the Grand Duchy of Luxembourg and the Ministry of Economic Affairs and Communications for the Republic of Estonia;

(f) “force majeure” shall mean any unforeseeable situation or event beyond the control of the Parties that was not attributable to error or negligence on their part, and which prevents them from fulfilling any or all of their obligations under this Agreement and any regulation pertaining to it.