

No. 55191*

**Sweden
and
Slovenia**

**Agreement between the Government of the Kingdom of Sweden and the Government of the Republic of Slovenia on the exchange and mutual protection of classified information.
Stockholm, 16 November 2011**

Entry into force: *1 February 2013 by notification, in accordance with article 14*

Authentic texts: *English, Slovene and Swedish*

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**Suède
et
Slovénie**

**Accord entre le Gouvernement du Royaume de Suède et le Gouvernement de la République de Slovénie concernant l'échange et la protection réciproque des informations classifiées.
Stockholm, 16 novembre 2011**

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

Textes authentiques : *anglais, slovène et suédois*

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**AGREEMENT
BETWEEN
THE GOVERNMENT OF THE KINGDOM OF SWEDEN
AND
THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA
ON THE EXCHANGE AND
MUTUAL PROTECTION
OF CLASSIFIED INFORMATION**

PREAMBLE

The Government of the Kingdom of Sweden and The Government of the Republic of Slovenia (hereinafter: the Parties), have, in the interest of national security and for the purpose of ensuring the protection of Classified Information exchanged between them, agreed as follows:

ARTICLE 1 DEFINITIONS

In this Agreement, the following definitions shall be used:

- (1) **Classified Information:** Information, regardless of its form, which under the laws of either Party requires protection against loss, unauthorised disclosure or other compromise, and has been designated as such, and is exchanged between, or generated by, the Parties.
- (2) **Originating Party:** The Party, including any public or private entities under its jurisdiction, which releases Classified Information to the other Party.
- (3) **Recipient Party:** The Party, including any public or private entities under its jurisdiction, which receives Classified Information from the other Party.
- (4) **Classified Contract:** A contract that contains or involves Classified Information.
- (5) **Need-to-know principle:** A principle by which access to Classified Information may be granted to an individual in order to be able to perform official duties and tasks.

ARTICLE 2 SECURITY CLASSIFICATIONS

- (1) The equivalence of national security classification markings shall be as follows:

<u>In the Kingdom of Sweden</u>		<u>In the Republic of Slovenia</u>
Defence Authorities	Other Authorities	
HEMLIG/TOP SECRET	HEMLIG AV SYNNERLIG BETYDELSE FÖR RIKETS SÄKERHET	STROGO TAJNO
HEMLIG/SECRET	HEMLIG	TAJNO
HEMLIG/CONFIDENTIAL	—	ZAUPNO
HEMLIG/RESTRICTED	—	INTERNO

- (2) Information from the Kingdom of Sweden bearing the sole marking of HEMLIG shall be treated as TAJNO in the Republic of Slovenia unless otherwise requested by the Originating Party.
- (3) The Originating Party shall without delay notify the Recipient Party of any changes to the security classification of released Classified Information.
- (4) The Originating Party shall:
 - a) Ensure that Classified Information is marked with an appropriate security classification marking in accordance with its national laws and regulations;
 - b) Inform the Recipient Party of any conditions of release or limitations on the use of Classified Information.
- (5) The Recipient Party shall ensure that Classified Information is marked with an equivalent national classification marking in accordance with Paragraph 1.
- (6) The Parties shall notify each other of any changes to national security classification markings.

ARTICLE 3 PROTECTION OF CLASSIFIED INFORMATION

- (1) The Parties shall take all appropriate measures in accordance with their respective national laws and regulations to ensure that the level of protection afforded to Classified Information received shall be in accordance with their equivalent security classification level as stated in Article 2.
- (2) Nothing in this Agreement shall cause prejudice to the national laws and regulations of the Parties regarding public access to documents or access to information of public character, the protection of personal data or the protection of Classified Information.
- (3) Each Party shall ensure that appropriate measures are implemented for the protection of Classified Information processed, stored or transmitted in communication and information systems. Such measures shall ensure the confidentiality, integrity, availability and, where applicable, non-repudiation and authenticity of Classified Information, as well as an appropriate level of accountability and traceability of actions in relation to that information.

ARTICLE 4 DISCLOSURE AND USE OF CLASSIFIED INFORMATION

- (1) Each Party shall ensure that Classified Information provided or exchanged under this Agreement is not:
 - a) downgraded or declassified without the prior written consent of the Originating Party;
 - b) used for purposes other than those established by the Originating Party;

- c) disclosed to any third state or international organisation without the prior written consent of the Originating Party, and an appropriate agreement or arrangement for the protection of Classified Information with the third state or international organisation concerned.
- (2) The principle of originator consent shall be respected by each Party in accordance with its constitutional requirements, national laws and regulations.

ARTICLE 5

ACCESS TO CLASSIFIED INFORMATION

- (1) Each Party shall ensure that access to Classified Information is granted on the basis of the Need-to-know principle.
- (2) Each Party shall ensure that all individuals granted access to Classified Information are informed of their responsibilities to protect such information in accordance with the appropriate security regulations.
- (3) The Parties shall guarantee that access to Classified Information bearing the classification marking ZAUPNO / HEMLIG/CONFIDENTIAL or above is granted only to individuals who hold an appropriate security clearance or who are otherwise duly authorised by virtue of their functions in accordance with national laws and regulations.
- (4) In accordance with its national laws and regulations, each Party shall ensure that any entity under its jurisdiction that may receive or generate Classified Information is appropriately security cleared and is capable of providing suitable protection, as provided for in Article 3(1), at the appropriate security level.

ARTICLE 6

TRANSLATION, REPRODUCTION AND DESTRUCTION OF CLASSIFIED INFORMATION

- (1) All translations of Classified Information shall bear appropriate security classification markings and shall be protected as the original Classified Information.
- (2) All translations of Classified Information shall contain a suitable annotation in the language of translation, indicating that they contain Classified Information of the Originating Party.
- (3) Classified Information marked STROGO TAJNO / HEMLIG/TOP SECRET / HEMLIG AV SYNNERLIG BETYDELSE FÖR RIKETS SÄKERHET shall be translated or reproduced only upon the prior written permission of the Originating Party.
- (4) Classified Information marked STROGO TAJNO / HEMLIG/TOP SECRET / HEMLIG AV SYNNERLIG BETYDELSE FÖR RIKETS SÄKERHET shall not be destroyed. It shall be returned to the Originating Party after it is no longer considered necessary by the Recipient Party.
- (5) Information classified TAJNO / HEMLIG or below shall be destroyed after it is no longer considered necessary by the Recipient Party, in accordance with national laws and regulations.