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**Turkey
and
Russian Federation**

The Agreement between the Government of the Republic of Turkey and the Government of the Russian Federation on mutual protection of classified information and materials exchanged or generated in the course of bilateral cooperation in defense industry. Ankara, 6 December 2004

Entry into force: *27 January 2010 by notification, in accordance with article XVIII*

Authentic texts: *English, Russian and Turkish*

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**Turquie
et
Fédération de Russie**

L'Accord entre le Gouvernement de la République turque et le Gouvernement de la Fédération de Russie relatif à la protection mutuelle des informations classifiées et des matériels échangés ou produits dans le cadre de la coopération bilatérale dans l'industrie de la défense. Ankara, 6 décembre 2004

Entrée en vigueur : *27 janvier 2010 par notification, conformément à l'article XVIII*

Textes authentiques : *anglais, russe et turc*

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THE AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF TURKEY
AND
THE GOVERNMENT OF THE RUSSIAN FEDERATION
ON
MUTUAL PROTECTION OF
CLASSIFIED INFORMATION AND MATERIALS
EXCHANGED OR GENERATED IN THE COURSE OF
BILATERAL COOPERATION IN DEFENSE INDUSTRY

The Agreement
between
the Government of the Republic of Turkey
and
the Government of the Russian Federation
on Mutual Protection of Classified Information and Materials
Exchanged or Generated in the Course of Bilateral Cooperation in Defense Industry

The Government of the Republic of Turkey and the Government of the Russian Federation (hereinafter referred to as the Parties) ;

Intending to ensure the mutual protection of Classified Information and Materials in defense industry, which have been classified in the State of one Party and transferred to the State of the other Party or generated in the process of mutual cooperation,

Noting the provisions of the "Agreement of Military Technical Matters and Cooperation in Defense Industry" dated April 20, 1994 between the Government of the Republic of Turkey and the Government of the Russian Federation,

Desiring to set forth the terms and conditions for the mutual protection of Classified Information and Materials which shall extend to agreements on cooperation in defense industry to be concluded between the Parties and Organizations, which provide for the exchange or generation of Classified Information and Materials,

Confirming that this Agreement will not affect the commitments of both States which stem from the other international agreements and that it will not be used against the interests, security and territorial integrity of other states,

HAVE AGREED AS FOLLOWS :

ARTICLE I

PURPOSE

The purpose of this Agreement is to ensure the mutual protection of Classified Information and Materials exchanged or generated in the course of bilateral cooperation in defense industry.

ARTICLE II

DEFINITIONS

1. **"Classified Information and Materials"** means any information, document, product, substance, any materials/material objects of all kinds, irrespective of the form in which they are contained and/or transferred, or of the method through which they are transmitted, to which a Security Classification Category was, or is to be, assigned by one of the Parties in accordance with its national legislation.
2. **"Security Classification Categories"** means specific indications ("TOP SECRET" or "SECRET"), which stand for the confidentiality degree assigned to information contained in a medium. These indications are to be placed upon the said information medium and/or in the documents accompanying it.
3. **"Security Clearance"** means a procedure that results in a special kind of a document granting individuals the right to Access to Classified Information and Materials or, in case of organizations, the right to deal with such Information and Materials.
4. **"Access to Classified Information and Materials"** means the exposure of Classified Information and Materials to an individual who has the appropriate Security Clearance.
5. **"Competent Authority"** means authorities which are responsible for the implementation of this Agreement, to be determined by the Parties as specified in Article III of this Agreement.
6. **"Organization"** means state authority or other legal entity in defense industry, independently of its form of proprietorship, where Classified Information and Materials are handled, stored and protected, and which takes part in international cooperation or implementation of Contracts in the framework of this Agreement.
7. **"Originating Party"** means the Party whose Organization is the owner and/or the originator of Classified Information and Materials and/or transfers them to the Recipient Party.
8. **"Recipient Party"** means the Party whose Organization receives the Classified Information and Materials from the Originating Party.
9. **"Third Party"** means international organizations, states, their governments, that are not the Parties of this Agreement, as well as individuals or legal entities of these organizations and states.
10. **"Contract"** means a commercial agreement of civil law concluded between Organizations of the Parties' States and providing for transfer and/or generation of Classified Information and Materials in the process of cooperation.

ARTICLE III

COMPETENT AUTHORITIES

Within 30 (thirty) days after the completion of the domestic procedures required for this Agreement to enter into force, the Parties shall notify each other through diplomatic channels of the authorities responsible for the implementation of this Agreement.

ARTICLE IV

INTEGRAL RELATION OF THE AGREEMENT TO OTHER CONTRACTS

1. Should there be in any agreement or Contract to be concluded between the Organizations of defense industry of both Parties' States in the course of military and technical cooperation, a provision contradictory with the present Agreement, the provisions of this Agreement shall apply.
2. This Agreement shall also apply to any future negotiations or agreements between the Parties on the matters that are the subject of this Agreement.

ARTICLE V

EQUIVALENCE OF SECURITY CLASSIFICATION CATEGORIES

1. Within the framework of the security measures prescribed by their respective national laws and regulations, each Party undertakes the protection of the Classified Information and Materials exchanged under these clauses of this Agreement; the Parties adopt the equivalence of the Security Classification Categories as set out in the table :

IN THE REPUBLIC OF TURKEY :

"ÇOK GİZLİ" ("TOP SECRET")

"GİZLİ" ("SECRET")

IN THE RUSSIAN FEDERATION :

"СОБЕПШЕННО СЕКРЕТНО" ("TOP SECRET")

"СЕКРЕТНО" ("SECRET")

2. When Classified Information and Materials are received from the other Party, each Party undertakes to assign to them its own security classification degree in accordance with the equivalence set out in the table above.

ARTICLE VI

USAGE OF CLASSIFIED INFORMATION AND MATERIALS

1. Classified Information and Materials, which have been exchanged, may be used only for purposes related to the implementation of agreements or the execution of Contracts. They shall not be used for advertising purposes.
2. Classified Information and Materials may not be disclosed or transferred to a Third Party without prior written approval of the Originating Party.