

No. 55341*

**Latvia
and
Germany**

Agreement between the Government of the Republic of Latvia and the Government of the Federal Republic of Germany on the mutual protection of classified information. Riga, 16 February 2018

Entry into force: *16 February 2018 by signature, in accordance with article 14*

Authentic texts: *English, German and Latvian*

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**Lettonie
et
Allemagne**

Accord entre le Gouvernement de la République de Lettonie et le Gouvernement de la République fédérale d'Allemagne concernant la protection réciproque d'informations classifiées. Riga, 16 février 2018

Entrée en vigueur : *16 février 2018 par signature, conformément à l'article 14*

Textes authentiques : *anglais, allemand et letton*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Lettonie, 28 septembre 2018*

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Agreement

between

the Government of the Federal Republic of Germany

and

the Government of the Republic of Latvia

on the

Mutual Protection of Classified Information

The Government of the Federal Republic of Germany
and
the Government of the Republic of Latvia,

Hereinafter referred to as "the Contracting Parties",

Intending to ensure the protection of classified information that is exchanged between the competent authorities of the Federal Republic of Germany and the Republic of Latvia as well as with contractors or between contractors of the two Contracting Parties,

Desirous of laying down an arrangement on the mutual protection of classified information that shall apply to all agreements on cooperation to be concluded between the Contracting Parties and to contracts involving an exchange of classified information,

Have agreed as follows:

Article 1
Definitions

(1) For the purposes of this Agreement:

1. "classified information" is

(a) in the Republic of Latvia:

military, political, economic, scientific, technical or other information, which is included in a list of official secret objects, approved by the Cabinet of Ministers, and the loss or illegal disclosure of which may cause harm to the security, and economic or political interests of the State;

(b) in the Federal Republic of Germany:

facts, items or intelligence which, regardless of how they are presented, are to be kept secret in the public interest. They shall be classified by, or at the instance of, an official agency in accordance with their need for protection.

2. a "classified contract" is a contract between an authority or an enterprise from the country of one Contracting Party (contract owner) and an enterprise from the country of the other Contracting Party (contractor); under such contract, classified information from the country of the contract owner is to be released to the contractor or is to be generated by the contractor or is to be made accessible to members of the contractor's staff who are to perform tasks in facilities of the contract owner;
3. "National Security Authority (NSA)" or "Designated Security Authority (DSA)" means the authority designated by a Contracting Party as being responsible for the implementation and supervision of this Agreement;
4. "Facility Security Clearance (FSC)" means the positive determination by the NSA or DSA that, from a security point of view, a facility has the personnel and physical security measures in place to have access to and to handle classified information at the levels VS-VERTRAULICH / KONFIDENCIĀLI and above, in accordance with the relevant national laws and regulations;
5. "need to know" means a determination that an individual or a legal entity has an established requirement to access classified information in order to perform official tasks or services;
6. "Personnel Security Clearance (PSC)" means the positive determination, stemming from a vetting procedure, by the NSA or DSA that an individual is eligible to have access to and to handle classified information at the levels VS-VERTRAULICH / KONFIDENCIĀLI and above, in accordance with the relevant national laws and regulations;

7. "third Party" means any State including legal entities or individuals under its jurisdiction or international organisation not being party to this Agreement.

(2) The levels of security classification are as follows:

1. In the Republic of Latvia, classified information is:

- (a) SEVIŠĶI SLEPENI;
- (b) SLEPENI;
- (c) KONFIDENCIĀLI.

2. In the Federal Republic of Germany, classified information is:

- (a) STRENG GEHEIM;
- (b) GEHEIM;
- (c) VS-VERTRAULICH;
- (d) VS-NUR FÜR DEN DIENSTGEBRAUCH.