

**No. 55584\***

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**Finland  
and  
Hungary**

**Agreement between the Government of the Republic of Finland and the Government of Hungary on mutual protection of classified information (with annexes). Helsinki, 25 October 2017**

**Entry into force:** *1 October 2018, in accordance with article 15*

**Authentic texts:** *English, Finnish and Hungarian*

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**Finlande  
et  
Hongrie**

**Accord entre le Gouvernement de la République de Finlande et le Gouvernement de la Hongrie relatif à la protection mutuelle des informations classifiées (avec annexes). Helsinki, 25 octobre 2017**

**Entrée en vigueur :** *1<sup>er</sup> octobre 2018, conformément à l'article 15*

**Textes authentiques :** *anglais, finnois et hongrois*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Finlande, 11 janvier 2019*

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**Agreement**  
**between**  
**the Government of the Republic of Finland**  
**and**  
**the Government of Hungary**  
**on**  
**Mutual Protection of Classified**  
**Information**

The Government of the Republic of Finland and the Government of Hungary, hereinafter referred to as “the Parties”,

in order to protect Classified Information related especially to foreign affairs, defence, security, police or scientific, industrial and technological matters and exchanged directly between the Parties, or legal entities or individuals that handle Classified Information under the jurisdiction of the Parties,

have agreed as follows:

**Article 1**  
**Purpose and scope of application**

The purpose of this Agreement is to ensure the protection of Classified Information that is exchanged or generated in the process of co-operation between the Parties.

## **Article 2**

### **Definitions**

For the purposes of this Agreement:

- a) *Classified Information* means any information, document or material of whatever form, nature or method of transmission provided by one Party to the other Party and to which a security classification level has been applied and which has been marked in accordance with the national laws and regulations, as well as any information, document or material that has been generated on the basis of such Classified Information and marked accordingly;
- b) *Classified Contract* means any contract or sub-contract, which contains or involves Classified Information;
- c) *Contractor* means a legal entity or an individual possessing the legal capacity to conclude classified contracts in accordance with the national laws and regulations;
- d) *Originating Party* means the Party which provides Classified Information or under whose authority Classified Information is generated;
- e) *Recipient* means the Party, as well as any legal entity or individual under its jurisdiction, to which the Classified Information is provided by the Originating Party;
- f) *Competent Security Authority* means a National Security Authority, a Designated Security Authority or any other competent body authorised in accordance with the national laws and regulations of the Parties which is responsible for the implementation of this Agreement;
- g) *Breach of Security* means an act or an omission contrary to national laws and regulations which may lead to the loss or compromise of Classified Information;
- h) *Security Clearance* means a positive determination following a vetting procedure to ascertain the eligibility of a legal entity (*Facility Security Clearance*, FSC) or individual (*Personnel Security Clearance*, PSC) to have access to and to handle Classified Information on a certain level in accordance with the national laws and regulations;
- i) *Third Party* means any state including the legal entities or individuals under its jurisdiction or international organisation not being a party to this Agreement.

**Article 3**  
**Competent Security Authorities**

1. The National Security Authorities (NSAs) designated by the Parties as responsible for the general implementation of this Agreement are:

<b>In the Republic of Finland:</b>	<b>In Hungary:</b>
<i>Ministry for Foreign Affairs</i> <i>Ulkoasiainministeriö</i> <i>National Security Authority (NSA)</i> <i>Kansallinen turvallisuusviranomainen</i>	<i>National Security Authority (NSA)</i> <i>Nemzeti Biztonsági Felügyelet (NBF)</i>

2. The Parties shall notify each other of any other Competent Security Authorities which shall be responsible for the implementation of aspects of this Agreement.

3. The Parties shall notify each other of any subsequent changes of the Competent Security Authorities.

**Article 4**  
**Security classifications**

1. Any Classified Information provided under this Agreement shall be marked with the appropriate security classification level in accordance with the national laws and regulations of the Parties.

2. The classification levels shall correspond to one another as follows:

<b>In the Republic of Finland</b>	<b>In Hungary</b>	<b>English translation</b>
ERITTÄIN SALAINEN or YTTERST HEMLIIG	„Szigorúan titkos!”	TOP SECRET
SALAINEN or HEMLIIG	„Titkos!”	SECRET
LUOTTAMUKSELLINEN or KONFIDENTIELL	„Bizalmas!”	CONFIDENTIAL
KÄYTTÖ RAJOITETTU or BEGRÄNSAD TILLGÅNG	„Korlátozott terjesztésű!”	RESTRICTED

3. The Recipient shall ensure that classifications are not altered or revoked, except as authorised in writing by the Originating Party.

**Article 5**  
**Protection of Classified Information**

1. The Parties shall take all appropriate measures in accordance with national laws and regulations so as to protect Classified Information referred to in this Agreement. They shall afford such information the same protection as they afford to their own information at the corresponding classification level.
2. The Parties shall not provide access to Classified Information to Third Parties without the prior written consent of the Originating Party.
3. Access to Classified Information shall be limited to individuals who have a need-to-know and who, in accordance with national laws and regulations, have been security cleared and authorised to have access to such information as well as briefed on their responsibilities for the protection of Classified Information.
4. A Personnel Security Clearance is not required for access to Classified Information at the KÄYTTÖ RAJOITETTU / BEGRÄNSAD TILLGÅNG or "Korlátozott terjesztésű!" level.
5. Classified Information shall be used solely for the purpose for which it has been provided.

**Article 6**  
**Classified Contracts**

1. Upon request, the Competent Security Authority of the Recipient shall inform the Competent Security Authority of the Originating Party whether a proposed Contractor participating in precontract negotiations or in the implementation of a Classified Contract has been issued an appropriate Security Clearance corresponding to the required security classification level. If the Contractor does not hold such a Security Clearance, the Competent Security Authority of the Originating Party may request that the Contractor be security cleared by the Competent Security Authority of the Recipient.
2. In the case of an open tender the Competent Security Authority of the Recipient may provide the Competent Security Authority of the Originating Party with the relevant Security Clearance certificates without a formal request.
3. A Facility Security Clearance is not required for Classified Contracts at KÄYTTÖ RAJOITETTU / BEGRÄNSAD TILLGÅNG or "Korlátozott terjesztésű!" level.
4. To allow adequate security supervision and control, a Classified Contract shall contain appropriate security provisions as specified in Annex 1, including a security classification guide. A copy of the security provisions shall be forwarded to the Competent Security Authority of the Party under whose jurisdiction the contract is to be performed.
5. Representatives of the Competent Security Authorities of the Parties may visit each other in order to analyse the efficiency of the measures adopted by a Contractor for the protection of Classified Information involved in a Classified Contract.