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**Romania
and
Luxembourg**

Security Agreement between the Government of Romania and the Government of the Grand Duchy of Luxembourg on mutual protection of classified information. Bucharest, 24 May 2017

Entry into force: *1 August 2018, in accordance with article 14*

Authentic texts: *English, French and Romanian*

Registration with the Secretariat of the United Nations: *Romania, 13 June 2019*

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**Roumanie
et
Luxembourg**

Accord de sécurité entre le Gouvernement de Roumanie et le Gouvernement du Grand-Duché de Luxembourg sur la protection réciproque des informations classifiées. Bucarest, 24 mai 2017

Entrée en vigueur : *1^{er} août 2018, conformément à l'article 14*

Textes authentiques : *anglais, français et roumain*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Roumanie, 13 juin 2019*

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SECURITY AGREEMENT

BETWEEN

THE GOVERNMENT OF ROMANIA

AND

THE GOVERNMENT OF THE GRAND DUCHY OF LUXEMBOURG

ON MUTUAL PROTECTION

OF CLASSIFIED INFORMATION

The Government of Romania and the Government of the Grand Duchy of Luxembourg, hereafter referred to jointly as the “Contracting Parties” or individually the “Contracting Party”,

In order to safeguard the Classified Information (as defined below) exchanged directly or through other state bodies or legal public and private entities which deal with Classified Information of the other Contracting Party and within the framework of activities which fall under the responsibility of the Competent Security Authorities of the Contracting Parties,

Have agreed on the following:

ARTICLE 1
APPLICABILITY

1. This Security Agreement (hereafter referred to as the “Agreement”) shall form the basis of any activity, involving, in compliance with national laws and regulations, the exchange of Classified Information between the Contracting Parties through Competent Security Authorities or through other state bodies or legal public and private entities, concerning the following cases:
 - a. co-operation between the Contracting Parties concerning the national defense and any other issue related to national security;
 - b. co-operation, joint ventures, contracts or any other relation between state bodies or other public or private entities of the Contracting Parties in the field of national defense and any other issue related to national security;
 - c. sales of equipment, products and know-how.
2. This Agreement shall not affect the commitments of both Contracting Parties which stem from other international agreements and shall not be used against the interests, security and territorial integrity of other states.

ARTICLE 2 DEFINITIONS

For the purpose of this Agreement:

- a. **Classified Information** means:
any information, document or material, regardless of its physical form to which a particular Security Classification has been assigned in compliance with national laws and regulations and which shall be protected accordingly;
- b. **Classified Document** means:
any sort of record containing Classified Information regardless of its form or physical characteristic, including, without limitation, written or printed matters, data processing cards and tapes, maps, charts, photographs, paintings, drawings, engravings, sketches, working notes and papers, carbon copies and ink ribbons, or reproductions produced by any means or processes, and sound, voice, magnetic or electronic or optical or video recordings in any form, and portable Automated data Processing equipment with resident computer storage media, and removable computer storage media.
- c. **Classified Material** means:
any object or item of machinery, prototype, equipment, weapon etc., mechanically or hand made manufactured or in process of manufacture, to which a security classification has been assigned.
- d. **Security Classification** means:
the assignment of a class or level of classification in accordance with the legislation of the Contracting Parties.
- e. **Classified Contract** means:
an agreement between two or more contractors establishing and defining their rights and obligations and containing or implying Classified Information.
- f. **Contractor or Sub-Contractor** means:
an individual or legal entity possessing the legal capability to conclude Classified Contracts.

- g. **Breach of Security** means:
an act or omission contrary to national laws and regulations, that results in an actual or possible compromise of Classified Information.
- h. **Compromise of Classified Information** means:
a situation when – due to a breach of security or adverse activity (such as espionage, act of terrorism or theft) – Classified Information has lost its confidentiality, integrity or availability, or when supporting services and resources have lost their integrity or availability. This includes loss, partial or total disclosure, unauthorized modification and destruction or denial of service;
- i. **Security Aspects Letter** means:
a document issued by the appropriate authority as a part of any Classified Contract or sub-contract, identifying the security requirements or those elements of the contract requiring security protection;
- j. **Security Classification Check-List** means:
a listing of Classified Information, materials and activities related to a Classified Contract and their Security Classifications, included in the Security Aspects Letter;
- k. **Personnel Security Clearance** means:
a document certifying that, in performing his/her duties, the holder may have access to Classified Information of a certain Security Classification, in compliance with the need-to-know principle;
- l. **Facility Security Clearance** means:
a document certifying that a legal body is authorized to carry out industrial activities requiring access to Classified Information;
- m. **Need to Know** means:
a principle by which access to Classified Information may be granted individually, only to those persons who, in performing their duties, need to work with or have access to such information;