

No. 48790

**Estonia
and
Slovenia**

Agreement between the Government of the Republic of Estonia and the Government of the Republic of Slovenia on the exchange and mutual protection of classified information. Luxembourg, 26 October 2009

Entry into force: *8 May 2010 by notification, in accordance with article 15*

Authentic texts: *English, Estonian and Slovene*

Registration with the Secretariat of the United Nations: *Estonia, 3 August 2011*

**Estonie
et
Slovénie**

Accord entre le Gouvernement de la République d'Estonie et le Gouvernement de la République de Slovénie concernant l'échange et la protection réciproque des informations classifiées. Luxembourg, 26 octobre 2009

Entrée en vigueur : *8 mai 2010 par notification, conformément à l'article 15*

Textes authentiques : *anglais, estonien et slovène*

Enregistrement auprès du Secrétariat des Nations Unies : *Estonie, 3 août 2011*

[ENGLISH TEXT – TEXTE ANGLAIS]

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

PREAMBLE

The Government of the Republic of Estonia and the Government of the Republic of Slovenia, hereinafter referred to as the Parties,

wishing to ensure the protection of Classified Information exchanged between them or between public or private entities under their jurisdiction, in mutual respect for national interests and security,

have agreed upon the following:

ARTICLE 1 DEFINITIONS

For the purposes of this Agreement these terms mean the following:

- a) **Classified Information:** any information regardless of its form, which is generated by or transmitted between the Parties and under the national laws and regulations of either Party requires protection against unauthorised disclosure, misappropriation or loss and is designated as such and marked appropriately;
- b) **Classified Contract:** a contract or sub-contract, which contains Classified Information or involves access to it;
- c) **Originating Party:** the Party, including any public or private entity under its jurisdiction, which releases Classified Information to the Recipient Party;
- d) **Recipient Party:** the Party, including any public or private entity under its jurisdiction, which receives Classified Information from the Originating Party;
- e) **Third Party:** a state, including any public or private entity under its jurisdiction, or an international organisation that is not a Party to this Agreement;
- f) **National Security Authority:** the state authority responsible for the implementation and supervision of this Agreement;
- g) **Competent Authority:** any other state authority than the National Security Authority, which, under national laws and regulations, is responsible for the implementation of this Agreement;
- h) **Need-to-know:** the necessity to have access to specific Classified Information in connection with official duties and for the performance of a specific task;
- i) **Personnel Security Clearance:** the determination by the National Security Authority or a Competent Authority, that an individual is eligible to have access to Classified Information, in accordance with the national laws and regulations;
- j) **Facility Security Clearance:** the determination by a Competent Authority that confirms that the legal entity or an individual has the physical and organisational capability to meet the prescribed conditions for safe treatment of Classified Information.

ARTICLE 2 PURPOSE AND SCOPE

The purpose of this Agreement is to govern the protection and exchange of Classified Information provided by one Party to the other Party or which is mutually produced, mainly for purpose of foreign affairs, defence, security and police matters, as well as industrial or technological matters within the scope of this Agreement, or transmitted within the context of implementation or preparation of Classified Contracts.

ARTICLE 3 NATIONAL SECURITY AUTHORITIES

1. The National Security Authorities of the Parties are the following:

In the Republic of Slovenia:

Urad Vlade Republike Slovenije za varovanje tajnih podatkov (Government Office for the Protection of Classified Information)

In the Republic of Estonia:

Eesti Vabariigi Kaitseministeeriumi riigi julgeoleku volitatud esindaja osakond (Ministry of Defence of the Republic of Estonia, National Security Authority Department)

2. The National Security Authorities shall notify each other of any other Competent Authority that is responsible for the implementation of this Agreement.

3. The Parties shall inform each other of any subsequent changes of the National Security Authorities.

ARTICLE 4 SECURITY CLASSIFICATION LEVELS AND MARKINGS

1. The Parties shall, in accordance with their national laws and regulations, afford at least the same level of protection to the received Classified Information as afforded to its own Classified Information of an equivalent security classification level.

2. The equivalence of national security classification levels is as follows:

In the Republic of Slovenia In the Republic of Estonia In English

STROGO TAJNO	TÄIESTI SALAJANE	TOP SECRET
TAJNO	SALAJANE	SECRET
ZAUPNO	KONFIDENTSIAALNE	CONFIDENTIAL
INTERNO	PIIRATUD	RESTRICTED

3. The Originating Party shall:

- a) ensure that Classified Information is marked with the national security classification level marking in accordance with its national laws and regulations;
- b) inform the Recipient Party
 - of any conditions of release or limitations on its use;
 - of any subsequent changes in the security classification level of the released Classified Information.

4. The Recipient Party shall:

- a) ensure that received Classified Information is marked with an equivalent national security classification level marking in accordance with the provisions of paragraph 2 of this Article;
- b) ensure that the security classification level of the received Classified Information is not altered or revoked except if authorised in writing by the Originating Party.

ARTICLE 5 ACCESS TO CLASSIFIED INFORMATION

1. Access to information classified as INTERNO/PIIRATUD shall be limited to persons who have a Need-to-know and who have been briefed accordingly.
2. Access to information classified as ZAUPNO/ KONFIDENTSIAALNE and above, shall be limited to persons who have a Need-to-know and who, in accordance with national laws and regulations, have been issued a Personnel Security Clearance.
3. Access to Classified Information may be granted by virtue of office in accordance with national laws and regulations.
4. The Parties shall mutually recognise their Personnel Security Clearances. The provisions of paragraph 2 of Article 4 shall apply accordingly.
5. On request, the National Security Authority of the Recipient Party shall issue a written assurance that an individual has a right to access Classified Information as stipulated in this Article.

ARTICLE 6 RESTRICTION OF USE OF CLASSIFIED INFORMATION

1. The Recipient Party shall use the Classified Information only for the purpose it has been released for and within limitations stated by the Originating Party.
2. The Recipient Party shall not release Classified Information to a Third Party without the prior written consent of the Originating Party.