

No. 49021

**Latvia
and
Slovenia**

Agreement between the Government of the Republic of Latvia and the Government of the Republic of Slovenia on the exchange and mutual protection of classified information. Riga, 10 February 2010

Entry into force: *3 November 2010 by notification, in accordance with article 13*

Authentic texts: *English, Latvian and Slovene*

Registration with the Secretariat of the United Nations: *Latvia, 4 October 2011*

**Lettonie
et
Slovénie**

Accord entre le Gouvernement de la République de Lettonie et le Gouvernement de la République de Slovénie relatif à l'échange et à la protection mutuelle des informations classifiées. Riga, 10 février 2010

Entrée en vigueur : *3 novembre 2010 par notification, conformément à l'article 13*

Textes authentiques : *anglais, letton et slovène*

Enregistrement auprès du Secrétariat des Nations Unies : *Lettonie, 4 octobre 2011*

[ENGLISH TEXT – TEXTE ANGLAIS]

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

The Government of the Republic of Latvia 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 and private entities under their jurisdiction, have, in mutual respect for national interests and security, agreed upon the following:

ARTICLE 1 DEFINITIONS

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

Classified Information: any information, document or material regardless of its form, transmitted or generated between the Parties under the national legislation of either Party, requiring protection against unauthorised disclosure, misappropriation or loss and designated as such and appropriately marked;

Classified Contract: a contract or a sub-contract including pre-contractual negotiations, which contains Classified Information and involves access to or generation of Classified Information;

"Need to know": a principle by which access to Classified Information may only be granted to an individual who within the framework of the official duties requires such access;

Originating Party: the Party, including any public or private entities under its jurisdiction, which releases Classified Information to the other Party;

Recipient Party: the Party, including any public or private entities under its jurisdiction, which receives Classified Information from the Originating Party;

Third Party: a state, including any public or private entities under its jurisdiction, or an international organisation that is not a party to this Agreement;

Personnel Security Clearance: a determination following an investigative procedure in accordance with the national legislation, on the basis of which an individual is authorised to have access to and to handle Classified Information up to the level defined in the clearance;

Facility Security Clearance: a determination following an investigative procedure certifying that a contractor which is a legal entity fulfils the conditions of handling Classified Information in accordance with the national legislation of one of the Parties.

ARTICLE 2 SECURITY CLASSIFICATIONS

1. Classified Information released under this Agreement shall be marked with security classification levels as appropriate under the national legislation of the Parties.

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

| Republic of Latvia | Republic of Slovenia | Equivalent in English |
|------------------------|----------------------|-----------------------|
| SEVIŠĶI SLEPENI | STROGO TAJNO | TOP SECRET |
| SLEPENI | TAJNO | SECRET |
| KONFIDENCIĀLI | ZAUPNO | CONFIDENTIAL |
| DIENESTA VAJADZĪBĀM | INTERNO | RESTRICTED |

**ARTICLE 3
COMPETENT SECURITY AUTHORITIES**

1. The Competent Security Authorities of the Parties responsible for security and protection of Classified Information in accordance with their national legislation and for the implementation of this Agreement are the following:

in the Republic of Latvia:

Satversmes aizsardzības birojs (National Security Authority);

in the Republic of Slovenia:

Urad Vlade Republike Slovenije za varovanje tajnih podatkov (National Security Authority).

2. The Competent Security Authorities shall notify each other of any other competent authorities that are responsible for the implementation of this Agreement.
3. The Parties shall inform each other of any subsequent changes of the Competent Security Authorities.

**ARTICLE 4
SECURITY PRINCIPLES**

1. Access to Classified Information released under this Agreement shall be limited to:

- a) individuals according to the "Need to know" principle, and
- b) legal entities capable of handling Classified Information,

under the condition that these individuals and legal entities have been duly authorised in accordance with the national legislation of the respective Party.

2. Subject to fulfilment of procedural requirements laid down in the national legislation, the Parties shall mutually recognise their Personnel Security Clearances and Facility Security Clearances. The provision of paragraph 2 of Article 2 shall apply accordingly.

3. The Originating Party shall:

- a) ensure that Classified Information is marked with an appropriate security classification marking in accordance with its national legislation,
- b) inform the Recipient Party of any conditions for release or limitations on the use of Classified Information, and of any subsequent changes in classification levels.

4. The Recipient Party shall:

- a) in accordance with its national legislation afford the equivalent level of protection to Classified Information as afforded by the Originating Party;
- b) ensure that Classified Information is marked with an equivalent classification marking in accordance with paragraph 2 of Article 2;
- c) ensure that classification level is not altered except if authorised in writing by the Originating Party.

5. The Recipient Party shall use Classified Information only for the purpose it has been released for and within limitations stated by the Originating Party.

6. The Recipient Party shall not release Classified Information to a Third Party without a written consent of the Originating Party.

**ARTICLE 5
TRANSMISSION OF CLASSIFIED INFORMATION**

- 1. Classified Information shall be transmitted between the Parties through diplomatic channels.
- 2. Other means of transmission may be agreed by the Competent Security Authorities, including delivery of large consignments of Classified Information or use of protected information and communication channels.
- 3. The Recipient Party shall confirm receipt of Classified Information in writing and notify the Competent Security Authority thereof.

**ARTICLE 6
REPRODUCTION, TRANSLATION AND DESTRUCTION**

- 1. All reproductions and translations shall bear appropriate security classification markings and shall be protected as the original Classified Information. Only individuals holding an appropriate Personnel Security Clearance shall make the translations. The translations and number of reproductions shall be limited to the amount required for an official purpose. Classified Information marked SEVIŠKI SLEPENI/STROGO TAJNO/TOP SECRET shall be translated or reproduced only upon a written consent of the Originating Party.
- 2. All translations shall contain a suitable annotation in the language of the translation, indicating that they contain Classified Information of the Originating Party.