

No. 49546

**Latvia
and
Estonia**

Agreement between the Government of the Republic of Latvia and the Government of the Republic of Estonia on the exchange and mutual protection of classified information. Budapest, 6 June 2011

Entry into force: *20 July 2011 by notification, in accordance with article 17*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *Latvia, 1 May 2012*

**Lettonie
et
Estonie**

Accord entre le Gouvernement de la République de Lettonie et le Gouvernement de la République d'Estonie relatif à l'échange et à la protection mutuelle des renseignements classifiés. Budapest, 6 juin 2011

Entrée en vigueur : *20 juillet 2011 par notification, conformément à l'article 17*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Lettonie, 1^{er} mai 2012*

[ENGLISH TEXT – TEXTE ANGLAIS]

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

The Government of the Republic of Latvia and the Government of the Republic of Estonia (hereinafter referred to as *the Parties*),

realizing that good co-operation may require exchange of classified information between the Parties,

desiring to establish a set of rules regulating the mutual protection of classified information transmitted or generated in the course of the cooperation between the Parties,

have agreed as follows,

**ARTICLE 1
DEFINITIONS**

For the purposes of this Agreement,

a) “Classified Information” means any information, regardless of its form, designated or marked as such in accordance with the national laws and regulations of either Party in order to ensure protection against unauthorized disclosure, misappropriation or loss;

b) “Security Classification Level” means a category, which, in accordance with the national laws and regulations, characterises the level of restriction of access to Classified Information and the minimum level of its protection by the Parties;

- c) “National Security Authority” means the state authority responsible for the application and supervision of this Agreement;
- d) “Competent Authority” means the National Security Authority or any other state authority, which, under national laws and regulations, is responsible for the implementation of this Agreement;
- e) “Originating Party” means the Party that has created Classified Information;
- f) “Receiving Party” means the Party to which Classified Information of the Originating Party is transmitted;
- g) “Need-to-know” means the necessity to have access to specific Classified Information in connection with official duties and for the performance of a specific task;
- h) “Third Party” means any state, organization, legal entity or individual, which is not a party to this Agreement;
- i) “Personnel Security Clearance” means the determination by a Competent Authority that an individual is eligible to have access to and to handle Classified Information in accordance with the national laws and regulations;
- j) “Facility Security Clearance” means the determination by a Competent Authority that a legal entity or an individual, possessing the legal capacity, has the physical and organizational capability to meet the conditions for safe treatment of Classified Information in accordance with the national laws and regulations;
- k) “Contractor” means a legal entity or an individual possessing the legal capacity to conclude Classified Contracts in accordance with the national laws and regulations;
- l) “Classified Contract” means a contract or subcontract the implementation of which requires access to or generation of Classified Information of either Party.

ARTICLE 2 COMPETENT AUTHORITIES

(1) The National Security Authorities of the Parties are the following:

In the Republic of Latvia:

Constitution Protection Bureau

In the Republic of Estonia:

National Security Authority Department

Ministry of Defence of the Republic of Estonia

(2) The Parties shall notify each other through diplomatic channels of any subsequent changes of their National Security Authorities.

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

ARTICLE 3 EQUIVALENCE OF SECURITY CLASSIFICATION LEVELS

(1) The Parties agree that the following Security Classification Levels are equivalent:

Republic of Latvia:	Republic of Estonia:	Corresponding English expression:
SEVIŠĶI SLEPENI	TĀIESTI SALAJANE	TOP SECRET
SLEPENI	SALAJANE	SECRET
KONFIDENCIĀLI	KONFIDENTSIAALNE	CONFIDENTIAL
DIENESTA VAJADZĪBĀM	PIIRATUD	RESTRICTED

(2) The Security Classification Level shall only be altered or revoked with the written consent of the Originating Party. The Originating Party shall inform the Receiving Party without delay about any alteration or

revocation of the Security Classification Level of the transmitted Classified Information.

ARTICLE 4 MARKING

(1) Classified Information to be transmitted shall be marked by the Originating Party according to the appropriate Security Classification Level.

(2) Classified Information generated, reproduced or translated under this Agreement shall also be marked.

ARTICLE 5 SECURITY PRINCIPLES

(1) The Parties shall take all appropriate measures to ensure the protection of the Classified Information, which is transmitted or generated under this Agreement.

(2) The Parties shall afford transmitted Classified Information at least the same level of protection as they afford their own Classified Information of the equivalent Security Classification Level.

(3) The Receiving Party shall use Classified Information only for the purpose it has been transmitted for.

(4) Receiving Party shall not make Classified Information accessible to a Third Party without the prior written consent of the Competent Authority of the Originating Party.

(5) Classified Information generated under this Agreement shall be protected the same way as transmitted Classified Information.