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**Republic of Korea
and
Ukraine**

Agreement between the Government of the Republic of Korea and the Cabinet of Ministers of Ukraine on the protection of classified military information. Kiev, 11 April 2003

Entry into force: *25 October 2005 by notification, in accordance with article 16*

Authentic texts: *English, Korean and Ukrainian*

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**République de Corée
et
Ukraine**

Accord entre le Gouvernement de la République de Corée et le Cabinet des Ministres de l'Ukraine sur la protection des informations militaires classifiées. Kiev, 11 avril 2003

Entrée en vigueur : *25 octobre 2005 par notification, conformément à l'article 16*

Textes authentiques : *anglais, coréen et ukrainien*

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF KOREA
AND
THE CABINET OF MINISTERS OF UKRAINE
ON THE PROTECTION OF CLASSIFIED MILITARY
INFORMATION**

The Government of the Republic of Korea and the Cabinet of Ministers of Ukraine (hereinafter referred to as "the Parties"),

Desiring to cooperate in the field of defense on the basis of mutual respect for sovereignty, independence and non-interference in each others' internal affairs, and

Wishing to ensure the protection of classified military information exchanged under this Agreement,

Have agreed as follows:

Article 1

Purpose

The Parties shall, in accordance with their laws and regulations, ensure the protection of classified military information exchanged between the Parties or between organizations of the Parties in the field of military cooperation.

Article 2

Definition

For the purpose of this Agreement:

- (a) "Classified military information" means any official information or materials related to the area of defense, whether transmitted in writing or in any other form, which require protection from unauthorized disclosure by national laws and regulations of the originating Party for the sake of national security, and which are classified as such by the competent officials.
- (b) "Materials" means anything in which information is recorded, embodied or stored and anything from which information can be derived, regardless of its physical form or composition, including, but not limited to, documents, written records, equipment, instruments, machinery, devices, models, sound records, reproductions, representations, maps, computer programs, compilations, and electronic data storage.

- (c) "Originating Party" means the Party which transmits classified military information.
- (d) "Receiving Party" means the Party to which classified military information is transmitted.
- (e) "Organization" means any entity of the Parties, regardless of its ownership form, which cooperate in the military field.
- (f) "Facilities" means premises in which classified military information and materials are used or stored.
- (g) "Classification level" means the category which characterizes the level of importance of classified military information, possible damage caused by its compromise, level of restriction of access to it and level of its protection by the States of the Parties.
- (h) "Person security cleared" means that an individual has been administratively determined eligible, in accordance with the national laws and regulations of a Party, to have access to classified military information.

Article 3

Competent Authorities

1. The competent authorities of the Parties shall be responsible for the implementation of this Agreement.
2. Unless otherwise advised by a Party in writing, the competent authorities for the Parties shall be:
 - (a) For the Government of the Republic of Korea:
The Ministry of National Defense
Seoul
 - (b) For the Cabinet of Ministers of Ukraine:
The Security Service of Ukraine
Kyiv

Article 4

Marking of Classified Military Information

1. Before transmission to the receiving Party, the originating Party shall:
 - (a) assign all classified military information to one of the classification levels in paragraph 2 of this Article; and
 - (b) mark the assigned classification level on all recorded classified military information.

2. The Party receiving recorded classified military information shall ensure that the classified military information and anything incorporating the classified military information are marked with a classification level no lower than that corresponding to the level specified by the originating Party. The corresponding classification levels for classified military information shall be as follows:

| English | Korean | Ukrainian |
|--------------|---------------------------------------|---|
| TOP SECRET | 군사 I 급 비밀 (KUNSA I KUB BI MIL) | Особливої важливості (OSOBYVOYI VAZHLYVOSTI) |
| SECRET | 군사 II 급 비밀 (KUNSA II KUB BI MIL) | Цілком таємно (TSILKOM TAYEMNO) |
| CONFIDENTIAL | 군사 III 급 비밀 (KUNSA III KUB BI MIL) | Таємно (TAYEMNO) |

3. The originating Party shall promptly notify the receiving Party of any change in the classification level of transmitted classified military information, and the receiving Party shall alter the classification level accordingly upon the originating Party's notification.

4. The receiving Party shall not in any way alter the classification level assigned by the originating Party without the prior written consent of the originating Party.

5. The Party generating any documents containing classified military information provided by the other Party shall ensure that the documents are marked as documents containing classified military information provided by the other Party.