

No. 52206*

**Spain
and
Israel**

Agreement on the protection of classified information between the Government of the Kingdom of Spain and the Government of the State of Israel/the Israeli Ministry of Defence. Madrid, 7 February 2011

Entry into force: *12 August 2014 by notification, in accordance with article 12*

Authentic texts: *English, Hebrew and Spanish*

Registration with the Secretariat of the United Nations: *Spain, 20 October 2014*

**No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

**Espagne
et
Israël**

Accord relatif à la protection des informations classifiées entre le Gouvernement du Royaume d'Espagne et le Gouvernement de l'État d'Israël/le Ministère de la Défense israélien. Madrid, 7 février 2011

Entrée en vigueur : *12 août 2014 par notification, conformément à l'article 12*

Textes authentiques : *anglais, hébreu et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *Espagne, 20 octobre 2014*

** Numéro de volume RTNU n'a pas encore été établie pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

**AGREEMENT ON THE PROTECTION OF
CLASSIFIED INFORMATION**

BETWEEN

The Government of the Kingdom of Spain

**hereinafter referred to as "Spain"),
of the second part,**

AND

**The Government of the State of Israel/
the Israeli Ministry of Defence**

**(hereinafter referred to as: "IMOD"),
of the one part,**

WITNESSETH

WHEREAS The Spain and IMOD (hereinafter referred to as: "the Parties") intend to cooperate in joint projects concerning defence and military issues; and

WHEREAS The Parties wish to safeguard the secrecy of the defence and military projects as well as to protect the Classified Information exchanged between the Parties; and

WHEREAS Both Parties agree that for their mutual interest an Agreement on the Protection of Classified Information is essential to be signed; and

WHEREAS The Parties to this Agreement on the Protection of Classified Information agree that the mere existence of the relations between the Parties concerning the defence and military issues are not classified.

However, classified contents of the relations shall not be disclosed to any Third Party without the prior written consent of the other Party; and

WHEREAS The Parties to this Agreement on the Protection of Classified Information desire to set forth the terms and conditions governing this Agreement.

NOW THEREFORE THE PARTIES HERETO AGREE AS FOLLOWS:

ARTICLE 1 ADOPTION OF PREAMBLE

The Preamble to this Agreement on the Protection of Classified Information (hereinafter referred to as: "The Agreement") forms an integral part hereof and is binding upon the Parties.

ARTICLE 2 DEFINITIONS

For the purpose of this Agreement

1. The term "Classified Information" includes information and materials of any kind which in the interest of the national security of the releasing Government and in accordance with its applicable laws and regulations, requires protection against unauthorized disclosure and which has been classified in accordance with Article 4 paragraph 1 to this Agreement by the appropriate Security Authorities;
2. The term "Information" includes any Classified Information and materials, in any form, including written, oral or visual forms and may be any document, product, or substance on or in which, information may be recorded, or embodied and shall encompass everything, regardless of its physical character including, but not limited to: writing, hardware, equipment, machinery, apparatus, devices, models, photographs, recordings, reproductions, maps and letters, as well as other products, substance, or items from which information can be derived;
3. The term "Originating Party" means the Party which submits or transmits Classified Information to the other Party;
4. The term "Recipient Party" means the Party to which Classified Information is submitted or transmitted by the Originating Party;
5. The term "Security Authority" means the authority designated by a Party as being responsible for the implementation and supervision of this Agreement;
6. The term "Third Party" includes countries or nationals of other countries, companies, entities or persons, which are not defined as "the Parties" to this Agreement.

ARTICLE 3

IMPLEMENTATION OF THIS AGREEMENT

1. This Agreement shall be deemed to form an integral part of any Contract which shall be made or signed in the future between the Parties or any entities related to security and secrecy of projects between the Parties and/or entities relating to the Parties concerning the following subjects:
 - A. Cooperation between the Parties and/or entities relating to the Parties concerning defence and military issues.
 - B. Cooperation and/or exchange of Classified Information in any field between the Parties and their respective entities,
 - C. Cooperation, exchange of Classified Information, joint ventures, Contracts or any other relations between Governmental, public or private entities of the Parties concerning, defence or military issues.
 - D. Sale of equipment and know-how relating to defence entities by one Party to the other.
 - E. Classified Information transferred between the Parties by any representative, employee or consultant (private or otherwise) concerning defence and military issues.
2. Each Party shall notify the relevant agencies and entities in its country of the existence of this Agreement.
3. This Agreement shall also apply to any future negotiations or contracts between the Parties or other agencies or entities related to the Parties concerning the subject/matters specified in paragraph 1 of this Article.
4. The Parties shall accept the security clearances issued in accordance with the national legislation of the other Party. The equivalence of the security clearances shall be in compliance with this Article.
5. Each Party agrees and undertakes that the provisions of this Agreement will be binding upon and duly observed by all agencies, units and entities of the respective Parties.
6. Each Party will be responsible for the Classified Information from the time of receipt. Such responsibility will be under the relevant provisions and practises of this Agreement.