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**Estonia
and
Luxembourg**

Agreement between the Republic of Estonia and the Grand Duchy of Luxembourg on the exchange and mutual protection of classified information. Brussels, 23 July 2012

Entry into force: *1 August 2013, in accordance with article 15*

Authentic texts: *English, Estonian and French*

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**Estonie
et
Luxembourg**

Accord entre la République d'Estonie et le Grand-Duché de Luxembourg concernant l'échange et la protection réciproque d'informations classifiées. Bruxelles, 23 juillet 2012

Entrée en vigueur : *1^{er} août 2013, conformément à l'article 15*

Textes authentiques : *anglais, estonien et français*

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AGREEMENT
BETWEEN
THE REPUBLIC OF ESTONIA
AND
THE GRAND DUCHY OF LUXEMBOURG
ON
THE EXCHANGE AND MUTUAL PROTECTION
OF CLASSIFIED INFORMATION

The Republic of Estonia
and
the Grand Duchy of Luxembourg,
hereinafter referred to as the "Parties",

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

have agreed on the following:

ARTICLE 1

OBJECTIVE AND SCOPE OF APPLICATION

1. The objective of this Agreement is to ensure the protection of Classified Information that is exchanged or generated in the process of co-operation between the Parties.
2. This Agreement shall govern any activity and be applicable to any contract or agreement, between the Parties involving Classified Information.

ARTICLE 2

DEFINITIONS

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

- 1) **Classified Information:** Any information, regardless of its form, which is transmitted or generated between the Parties under the national laws and regulations of either Party, which requires protection against any breach of security and is designated as such.
- 2) **Classified Contract:** A contract or a subcontract, which contains Classified Information or involves access to it.
- 3) **Contractor:** An individual or entity possessing the legal capacity to conclude contracts or sub-contracts.
- 4) **National Security Authority:** authority, which, in accordance with national laws and regulations, is responsible for the general implementation and the supervision of all aspects of this Agreement.
- 5) **Competent Authority:** National Security Authority and any other competent entity which, according to the national laws and regulations of the Parties, is responsible for the implementation of this Agreement.
- 6) **Personnel Security Clearance:** A determination by a Competent Authority that an individual is authorized to access Classified Information, according to national laws and regulations.

7) Facility Security Clearance: a determination by a Competent Authority that a legal entity or individual is capable to protect the Classified Information in accordance with the national laws and regulations.

8) Originating Party: The Party, including any public or private entities under its jurisdiction, which has created and released Classified Information to the Recipient Party.

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

10) 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.

11) Need-to-Know: A principle by which access to Classified Information may be granted to an individual only in connection with his/her official duties and for the performance of a specific task.

12) Breach of Security: an act or an omission contrary to the national laws and regulations, the result of which may lead to disclosure, loss, destruction, misappropriation or any other type of compromise of Classified Information.

ARTICLE 3

NATIONAL SECURITY AUTHORITIES

1. The National Security Authorities of the Parties are:

In the Republic of Estonia:

Kaitseministeeriumi riigi julgeoleku volitatud esindaja osakond («Ministry of Defence, National Security Authority Department»).

In the Grand Duchy of Luxembourg:

Service de Renseignement de l'Etat, Autorité nationale de Sécurité («State Intelligence Service, National Security Authority»)

2. The National 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 through diplomatic channels of any subsequent changes of the National Security Authorities.

ARTICLE 4

SECURITY CLASSIFICATION LEVELS

The equivalence of the national security classification levels is as follows:

For the Republic of Estonia**For the Grand Duchy of Luxembourg**

TÄIESTI SALAJANE	TRES SECRET LUX
SALAJANE	SECRET LUX
KONFIDENTSIAALNE	CONFIDENTIEL LUX
PIIRATUD	RESTREINT LUX

ARTICLE 5**ACCESS TO CLASSIFIED INFORMATION**

Access to Classified Information shall be limited to individuals who have a Need-to-Know, and who, in accordance with national laws and regulations, are authorized to have access to Classified Information of the equivalent security classification level, and who have been briefed accordingly.

ARTICLE 6**SECURITY CO-OPERATION**

1. In order to achieve and maintain comparable standards of security, the National Security Authorities shall, on request, provide each other with information about their national security standards, procedures and practices for the protection of Classified Information. To this aim the National Security Authorities may visit each other.
2. On request, the National Security Authorities shall assist each other in carrying out Personnel Security Clearance and Facility Security Clearance procedures.
3. The Parties shall mutually recognise their respective Personnel Security Clearances and Facility Security Clearances. Article 4 shall apply accordingly.
4. The National Security Authorities shall promptly inform each other in writing about any changes in mutually recognized Personnel Security Clearances and Facility Security Clearances.

ARTICLE 7**PROTECTION OF CLASSIFIED INFORMATION**

1. The Parties shall afford to Classified Information referred to in this Agreement the same protection as to their own information of the corresponding security classification level.