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**United Kingdom of Great Britain and Northern Ireland
and
France**

Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning the mutual protection of classified information. London, 27 March 2008

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**Royaume-Uni de Grande-Bretagne et d'Irlande du Nord
et
France**

Accord entre le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord et le Gouvernement de la République française concernant la protection réciproque des informations classifiées. Londres, 27 mars 2008

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[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE FRENCH REPUBLIC CONCERNING THE
MUTUAL PROTECTION OF CLASSIFIED INFORMATION**

The Government of the United Kingdom of Great Britain and Northern Ireland, and
The Government of the French Republic (hereinafter referred to as the “Parties”),

Wishing to ensure the protection of classified information falling under the
responsibility of the respective competent Security Authorities that is exchanged
between the two countries or sent to commercial and industrial organisations in
either of the two countries, through approved channels, have, in the interests of
national security, agreed the following provisions which are set out in this
Agreement.

This Agreement incorporates the security requirements of Part 4 of the Framework
Agreement between the French Republic, the Federal Republic of Germany, the
Italian Republic, the Kingdom of Spain, the Kingdom of Sweden and the United
Kingdom of Great Britain and Northern Ireland concerning measures to facilitate
the restructuring and operation of the European Defence Industry, signed on 27
July 2000 referred to as the “Framework Agreement”.

ARTICLE 1

Definitions

(1) For the purposes of this Agreement:

1. “classified information” means any information (namely, knowledge
that can be communicated in any form) or material determined to
require protection against unauthorised disclosure which has been so
designated by security classification.
2. “contractor” means an individual or legal entity entering into or bound
by a contract;
3. “contract” or “sub-contract” means a legally enforceable agreement
under the terms of which the parties to it enter into mutual obligations;
4. “classified contract” means a contract which contains classified
information or which involves the generation, use or transmission of
classified
information;

5. “document” means any letter, note, minute, report, memorandum, signal/message, sketch, photograph, film, map, chart, diagram, plan, notebook, carbon paper, typewriter ribbon or any other form of recorded information (for example tape recording, magnetic recording, punched card, tape);
6. “originating Party” means the Government or competent Security Authority of the country in which the classified information originates;
7. “receiving Party” means the Government or competent Security Authority of the country to which classified information is transmitted.
8. “NSA” means the National Security Authorities, which are the authorities responsible for the overall control and implementation of this Agreement.
9. “competent Security Authority”, means a Designated Security Authority or competent body authorised according to the national laws and/or regulations of the Parties and which is responsible for the implementation of this Agreement.

(2) The Parties determine that the following security classifications shall be comparable and covered by this Agreement:

United Kingdom of Great Britain
and Northern Ireland

French Republic

UK TOP SECRET
UK SECRET
UK CONFIDENTIAL
UK RESTRICTED

TRES SECRET DEFENSE
SECRET DEFENSE
CONFIDENTIEL DEFENSE
(see sub-paragraphs 1 and 2
below)

1. The French Republic shall treat and protect the UK classified information bearing the marking “UK RESTRICTED” according to its national laws and regulations in force, relative to protected but not defence classified information such as “DIFFUSION RESTREINTE”.

2. The United Kingdom of Great Britain and Northern Ireland shall treat and protect the non defence classified but protected information, bearing a marking such as “DIFFUSION RESTREINTE” or other protective markings previously notified, transmitted by the French Republic, according to its national laws and regulations in force relative to the protection of information “UK RESTRICTED”.

3. So as to maintain comparable security standards and at the request of either Party, each Party shall supply all the required information relating to the national security laws, regulations and policies applied to ensure the security of classified information and material. Each Party agrees to facilitate contacts between their respective competent Security Authorities.

ARTICLE 2

Responsible Authorities

The National Security Authority in each country is:

For the United Kingdom of Great Britain and Northern Ireland:

Cabinet Office
Security Policy Division
26 Whitehall
London SW1A 2WH

For the French Republic:

Secrétariat général de la défense nationale (*S.G.D.N.*)
51, boulevard de La Tour-Maubourg
75700 PARIS 07 SP

For the purpose of implementing this Agreement, the Parties shall inform each other of their respective competent Security Authorities.

ARTICLE 3

Security Measures

(1) Within the scope of their national laws, the Parties shall take all appropriate measures to ensure the security protection of classified information transmitted between them or transmitted to, held by, or generated by a contractor or an establishment in connection with a classified contract placed by one Party within the territory or jurisdiction of the other Party.

(2) Classified information shall be afforded a level of protection that is at least equal to that required for the receiving Party's own classified/protected information of the comparable level of security classification/protection as provided under paragraph (2) of Article 1 of this Agreement.

(3) The receiving Party shall restrict access to classified/protected information transmitted by the other Party to those persons having a need-to-know and – except in the case of classified information at the UK RESTRICTED and French equivalent level defined in Article 1 (2) 1. and 2. - having been security-cleared and authorised to have access to classified information of the comparable level of security classification in accordance with the national security regulations.

(4) Personal Security Clearances for nationals of one Party who are legally resident in the country of the other Party shall be undertaken by the competent Security Authority of that country, conducting overseas checks as appropriate.

(5) A Personal Security Clearance issued by the NSA or a competent Security Authority of one Party shall be accepted by the other Party where access to classified information is required.

(6) Subject to the provisions of paragraph (7) of this Article unless express written consent is given to the contrary, the receiving Party shall not disclose or use, or permit the disclosure or use of, any classified information communicated by the other Party except for the purposes and within any limitations stated by or on behalf of the originating Party.

(7) In accordance with its national laws and regulations, the receiving Party shall not transmit to any third country, or international organisation, any classified information provided under the provisions of this GSA, nor publicly disclose any classified information without the prior written agreement of the originating Party.

(8) Subject to the provisions of paragraphs (3) and (7) of this Article, the receiving Party shall not pass any classified information transmitted under the provisions of this Agreement to any third party Government, individual, contractor, or to any international organisation, without the prior written consent of the originating Party.

(9) Access to classified information at the UK TOP SECRET/TRES SECRET DEFENSE level by a person holding the sole nationality of a Party shall be granted without prior authorisation of the originating Party.

(10) Access to classified information at the UKCONFIDENTIAL/CONFIDENTIEL DEFENSE and UK SECRET/SECRET DEFENSE levels by a person holding the sole nationality of a Party to the Framework Agreement shall be granted without prior authorisation of the originating Party.