

No. 53222*

**Republic of Korea
and
Spain**

Agreement between the Republic of Korea and the Kingdom of Spain on the protection of defense classified information. Seoul, 23 March 2009

Entry into force: *5 January 2010 by notification, in accordance with article 14*

Authentic texts: *English, Korean and Spanish*

Registration with the Secretariat of the United Nations: *Republic of Korea, 8 December 2015*

**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.*

**République de Corée
et
Espagne**

Accord entre la République de Corée et le Royaume d'Espagne relatif à la protection des informations classifiées en matière de défense. Séoul, 23 mars 2009

Entrée en vigueur : *5 janvier 2010 par notification, conformément à l'article 14*

Textes authentiques : *anglais, coréen et espagnol*

Enregistrement auprès du Secrétariat des Nations Unies : *République de Corée, 8 décembre 2015*

**Le numéro de volume RTNU n'a pas encore été établi 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
BETWEEN THE REPUBLIC OF KOREA
AND THE KINGDOM OF SPAIN
ON THE PROTECTION OF DEFENSE CLASSIFIED
INFORMATION**

The Republic of Korea and the Kingdom of Spain (hereinafter referred to as "the Parties")

Desiring to co-operate in the field of defense, and

Wishing to ensure the protection of Classified Information exchanged under this Agreement,

Have agreed as follows:

Article 1

Purpose

This Agreement sets out procedures, under the laws and regulations of each Party, regarding the application of security principles for the protection of Classified Information related to defense exchanged between the Parties.

Article 2

Definitions

For the purpose of this Agreement:

1. **"Classified Information"** means any defense related information and material of all types classified by the competent authorities of one Party according to its national laws and regulations, which require protection against unauthorized disclosure;
2. **"Classified Contracts"** means agreements between two or more Contractors creating and defining enforceable rights and obligations between them, which require access to Classified Information;
3. **"Contractor"** means any individual or legal entity possessing the legal capacity to conclude contracts;

4. **"Originating Party"** means the Party that produces Classified Information;
5. **"Receiving Party"** means the Party to which Classified Information is transmitted from the other Party;
6. **"Third Party"** means any person, institution, international or national organization, public or private entity or State that is not a Party to this Agreement;
7. **"Personal Security Clearance"** means the document granted by the competent authorities of one Party proving that a person may be allowed access to Classified Information, in accordance with that Party's national security laws and regulations;
8. **"Facility Security Clearance"** means the document proving that a company/ establishment has the physical and organizational capability to safeguard Classified Information, in accordance with national security laws and regulations.

Article 3

Security Classification Levels

1. Classified Information shall be assigned, before transmission, the appropriate security classification level as follows:

Korean Classification	Equivalence in English	Spanish Classification
군사Ⅱ급 비밀	SECRET	RESERVADO
군사 Ⅲ급 비밀	CONFIDENTIAL	CONFIDENCIAL
군사 대외비	RESTRICTED	DIFUSION LIMITADA

2. The Receiving Party shall ensure that Classified Information received from the Originating Party is marked with an equivalent national security classification level in accordance with paragraph 1 of this Article.

3. In case of reproduction or extraction of Classified Information transmitted by the Originating Party, the Receiving Party shall mark such copy in accordance with the security classification level of the Originating Party.
4. The Receiving Party shall not alter the security classification level assigned by the Originating Party without the prior written consent of the Originating Party.
5. The Originating Party shall inform the Receiving Party of any change in the security classification level of its Classified Information. The Receiving Party shall then reclassify the Classified Information accordingly. The maximum level of Classified Information exchanged between the Parties shall be 군사 11급 비밀 /SECRET /RESERVADO.

Article 4

Competent Security Authorities

1. The Competent Security Authorities responsible for the implementation of this Agreement are the following:
 - a. **For the Republic of Korea:**
Director, Defense Intelligence Agency, Ministry of National Defense
 - b. **For the Kingdom of Spain:**
Secretary of State Director of the National Intelligence Center
2. Each Party shall take the appropriate measure to co-ordinate with the other Party regarding all the requirements and procedures related to the implementation of this Agreement.

Article 5

Access to Classified Information

1. Access to the Classified Information exchanged pursuant to this Agreement shall be limited to those persons who: