

No. 53606*

**Cyprus
and
Romania**

Agreement between the Government of the Republic of Cyprus and the Government of Romania on mutual protection of classified information. Nicosia, 31 October 2014

Entry into force: *1 January 2016, in accordance with article 14*

Authentic texts: *English, Greek and Romanian*

Registration with the Secretariat of the United Nations: *Cyprus, 21 April 2016*

**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.*

**Chypre
et
Roumanie**

Accord entre le Gouvernement de la République de Chypre et le Gouvernement de la Roumanie sur la protection réciproque des informations classifiées. Nicosie, 31 octobre 2014

Entrée en vigueur : *1^{er} janvier 2016, conformément à l'article 14*

Textes authentiques : *anglais, grec et roumain*

Enregistrement auprès du Secrétariat des Nations Unies : *Chypre, 21 avril 2016*

**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 Government of the Republic of Cyprus and the Government of Romania on Mutual Protection of Classified Information

The Government of the Republic of Cyprus and the Government of Romania, hereinafter referred to as “the Parties”,

Recognizing the need to set rules on protection of Classified Information mutually exchanged within the scope of political, military, economical, legal, scientific and technological or any other cooperation, as well as Classified Information generated in the process of such cooperation,

Intending to ensure the mutual protection of all Classified Information, which has been classified by one Party and transferred to the other Party or commonly generated in the course of co-operation between the Parties,

Considering the mutual interests in the protection of Classified Information, in accordance with the legislation of the Parties,

Have agreed as follows:

Article 1 Objective and Scope

1. The objective of this Agreement is to ensure the protection of Classified Information that is commonly generated or exchanged in the process of cooperation between the Parties or between legal entities of the states of the Parties, in accordance with their respective national legislation.
2. This Agreement is applicable to any activity involving the exchange of Classified Information, conducted or to be conducted between the Parties or between legal entities of the states of the Parties.

Article 2 Definitions

For the purposes of this Agreement:

- a) “**Breach of Security**” means an act or an omission which is contrary to this Agreement or to the national legislation of the Parties, the result of which may lead to disclosure, loss, destruction, misappropriation or any other type of compromise of Classified Information;
- b) “**Classified Contract**” means an agreement between two or more Contractors, which contains or the implementation of which requires access to or generates Classified Information;
- c) “**Classified Information**” means any information, irrespective of its form or nature, which requires protection against unauthorised access, has been classified and so designated by a security classification level, in accordance with the national legislation of the Parties;

- d) **“Contractor”** means an individual or a legal entity possessing the legal capacity to conclude contracts;
- e) **“Facility Security Certificate”** means a document issued by the National Security Authority and stemming from an investigative procedure finalized with a positive decision which is to determine the capability of a legal entity to participate in pre-contractual activities or perform classified contracts, in accordance with the respective national legislation;
- f) **“National Security Authority”** means the state authority of each Party, which in accordance with its national legislation is responsible for the general implementation and supervision of this Agreement; the respective authorities of the Parties are referred to in Article 4 paragraph 1;
- g) **“Need-to-know”** means the necessity to have access to specific Classified Information in the scope of a given official position and for the performance of a specific task;
- h) **“Originating Party”** means the Party, as well as any legal entity under the jurisdiction of its state which generates and releases Classified Information;
- i) **“Personnel Security Certificate”** means a document issued in accordance with the respective national legislation on the basis of which access to information of a certain security classification level may be granted to an individual;
- j) **“Receiving Party”** means the Party, as well as any legal entity under the jurisdiction of its state, which receives Classified Information.

Article 3 Security Classification Levels

The Parties agree that the following security classification levels are equivalent and correspond to the security classification levels specified in their national legislation:

For the Republic of Cyprus	For Romania	Equivalent in English
ΑΚΡΩΣ ΑΠΟΡΡΗΤΟ	STRICT SECRET DE IMPORTANTĂ DEOSEBITĂ	TOP SECRET
ΑΠΟΡΡΗΤΟ	STRICT SECRET	SECRET
ΕΜΠΙΣΤΕΥΤΙΚΟ	SECRET	CONFIDENTIAL
ΠΕΡΙΟΡΙΣΜΕΝΗΣ ΧΡΗΣΗΣ	SECRET DE SERVICIU	RESTRICTED

Article 4 National Security Authorities

1. The National Security Authorities of the Parties are:

For the Republic of Cyprus:
National Security Authority
Ministry of Defence of the Republic of Cyprus
4 Emmanuel Roidis St.
1432 Nicosia
Republic of Cyprus

For Romania
Government of Romania
National Registry Office for Classified Information
4 Mureş St., District 1
Bucharest
Romania

2. The Parties shall inform each other through diplomatic channels of any relevant change regarding the National Security Authorities.
3. Upon request the National Security Authorities shall notify each other about other competent authorities.
4. The National Security Authorities shall inform each other of respective national legislation on Classified Information and of any significant amendments thereto and shall exchange information about the security standards, procedures and practices for the protection of Classified Information.
5. If the need arises, the National Security Authorities may conclude security arrangements on specific technical aspects concerning the implementation of this Agreement.

Article 5

Protection Measures and Access to Classified Information

1. In accordance with their national legislation, the Parties shall take all appropriate measures for the protection of Classified Information, which is exchanged or generated under this Agreement. At least the same level of protection shall be ensured to such Classified Information as is provided for the national Classified Information of the equivalent security classification level in accordance with Article 3.
2. The Receiving Party shall neither mark with a lower security classification level the received Classified Information nor declassify this information without the prior written consent of the Originating Party. The Originating Party shall inform the Receiving Party in writing about any change of the security classification level of the transmitted Classified Information.
3. Access to Classified Information and/or to premises where activities involving Classified Information are performed or where Classified Information is stored shall be limited to persons on a Need-to-know basis who are authorised in accordance with the national legislation of the Parties to have access to Classified Information of the equivalent security classification level.
4. On request, the Parties, through their National Security Authorities, shall confirm that a Personnel Security Certificate or a Facility Security Certificate is granted to an individual or to a legal entity before accessing Classified Information of the Originating Party.

5. Within the scope of this Agreement, each Party shall recognise the Personnel Security Certificates and Facility Security Certificates granted in accordance with the national legislation of the other Party. Each Party shall recognise the security certificates of the other Party in accordance with the equivalence stated in Article 3.
6. The competent authorities shall, in accordance with the national legislation, assist each other upon request at carrying out vetting procedures necessary for the implementation of this Agreement.
7. Within the scope of this Agreement, the National Security Authorities of the Parties shall inform each other without delay about any alteration with regard to the Personnel Security Certificates and the Facility Security Certificates, in particular about their withdrawal or downgrading.
8. The assignment of a security classification level to jointly created Classified Information, its change or the declassification of this information shall be made upon common consent of the Parties.
9. Classified Information shall not be disclosed by the Receiving Party to any state other than the states of the Parties, international organization, legal entity or individual not under the jurisdiction of either of the states of the Parties without the prior written consent of the Originating Party.
10. The Receiving Party shall:
 - a) mark the received Classified Information with its own national security classification level in accordance with the equivalences referred to in Article 3;
 - b) use Classified Information solely for the purposes it has been provided for.

Article 6

Transmission of Classified Information

1. Classified Information shall be transmitted through diplomatic channels, military channels or through other means agreed on by the National Security Authorities. The Receiving Party shall confirm the receipt of Classified Information in writing.
2. Electronic transmission of Classified Information shall be carried out only in cryptic form, using cryptographic methods and devices agreed by the National Security Authorities, in accordance with the national legislation.
3. If necessary, operational and/or operative and intelligence information may be exchanged directly between the relevant authorities of the states of the Parties, in accordance with the national legislation.

Article 7

Translation and Reproduction of Classified Information

1. Translations and reproductions of Classified Information shall be made in accordance with the national legislation of the Receiving Party and the following procedures: