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**Poland
and
Montenegro**

Agreement between the Government of the Republic of Poland and the Government of Montenegro on the mutual protection of classified information. Warsaw, 18 November 2014

Entry into force: *1 March 2016, in accordance with article 16*

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**Pologne
et
Monténégro**

Accord entre le Gouvernement de la République de Pologne et le Gouvernement du Monténégro relatif à la protection réciproque d'informations classifiées. Varsovie, 18 novembre 2014

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

**between the Government of the Republic of Poland
and the Government of Montenegro
on the mutual protection of classified information**

The Government of the Republic of Poland and the Government of Montenegro,
hereinafter referred to as the “Parties”,

having due regard for the necessity of guaranteeing the effective protection of
classified information exchanged between the Parties or
originated during cooperation course,

being guided by the intention to adopt uniform regulations for both Parties
in the scope of the protection of classified information,

subject to respect binding rules of the international law
and the internal law of the Parties,

have agreed as follows:

ARTICLE 1

DEFINITIONS

For the purpose of this Agreement, the following definitions mean:

- 1) **classified information** -- any information, irrespective of the form, carrier and manner of recording thereof, as well as objects or any parts thereof, also in the process of being generated, which require protection against unauthorized disclosure in accordance with the internal law of the Party and this Agreement;
- 2) **competent authorities** – the authorities referred to in Article 3 of this Agreement;
- 3) **authorized bodies** – individuals, legal entities or other organizational units, competent to handle classified information in accordance with the internal law of their Party;
- 4) **classified contract** – a contract, performance of which involves access to classified information or originating of such information;
- 5) **contractor** – an individual, a legal entity or other organizational unit under the law of one of the Parties, which has legal capacity to conclude classified contracts;
- 6) **principal** – an individual, a legal entity or other organizational unit under the law of one of the Parties, which has legal capacity to let classified contracts;
- 7) **third party** – any state, including individuals, legal entities or other organizational units under its jurisdiction, or an international organization, not being a Party to this Agreement.

ARTICLE 2

SECURITY CLASSIFICATION LEVELS

1. Classified information is granted a security classification level in accordance to its content, pursuant to the internal law of the originating Party. The authorized receiving body shall guarantee at least an equivalent level of protection of the received classified information, pursuant to the provisions of Paragraph 3.
2. The security classification level may be changed or removed only by the authorized body which has granted it. The authorized receiving body shall be notified in writing of every change or removal of the security classification level of previously received classified information.
3. The Parties agree that the following security classification levels are equivalent:

THE REPUBLIC OF POLAND	MONTENEGRO	EQUIVALENT IN ENGLISH
ŚCIŚLE TAJNE	STROGO TAJNO	TOP SECRET
TAJNE	TAJNO	SECRET
POUFNE	POVJERLJIVO	CONFIDENTIAL
ZASTRZEŻONE	INTERNO	RESTRICTED

ARTICLE 3

COMPETENT AUTHORITIES

1. For the purpose of this Agreement, the competent authorities shall be:
 - 1) for the Republic of Poland: the Head of the Internal Security Agency;
 - 2) for Montenegro: Directorate for protection of classified information (National Security Authority).

2. The Parties shall inform each other via diplomatic channels about changes of the competent authorities referred to in Paragraph 1 or amendments to their competences.

ARTICLE 4

PRINCIPLES OF CLASSIFIED INFORMATION PROTECTION

1. The Parties shall adopt every measure provided in this Agreement and their internal laws in order to protect classified information exchanged or originated as a result of cooperation between the Parties or authorized bodies, including this originated in connection with performance of classified contracts.
2. The authorized receiving body shall use classified information exclusively for the purposes defined at its transmission.
3. Access to classified information shall be granted only to those individuals who have a need-to-know and who have been authorized to access such information in accordance with the internal law of the receiving Party.
4. The authorized receiving body shall not release classified information referred to in Paragraph 1 to any third party without a prior written consent of the authorized originating body.

ARTICLE 5

SECURITY CLEARANCES

In the scope of this Agreement, the Parties shall recognize Personnel Security Clearances and Facility Security Clearances issued in accordance with the internal law of the other Party.