

No. 53700*

**Poland
and
Serbia**

Agreement between the Government of the Republic of Poland and the Government of the Republic of Serbia on the mutual protection of classified information. Warsaw, 11 June 2015

Entry into force: *1 May 2016, in accordance with article 18*

Authentic texts: *English, Polish and Serbian*

Registration with the Secretariat of the United Nations: *Poland, 2 May 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.*

**Pologne
et
Serbie**

Accord entre le Gouvernement de la République de Pologne et le Gouvernement de la République de Serbie relatif à la protection réciproque des informations classifiées. Varsovie, 11 juin 2015

Entrée en vigueur : *1^{er} mai 2016, conformément à l'article 18*

Textes authentiques : *anglais, polonais et serbe*

Enregistrement auprès du Secrétariat des Nations Unies : *Pologne, 2 mai 2016*

**Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

AGREEMENT

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

The Government of the Republic of Poland and the Government of the Republic
of Serbia

hereinafter referred to as the “Parties”.

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

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

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

have agreed as follows:

ARTICLE 1

OBJECTIVE

The objective of this Agreement is to establish the rules for the protection of classified information exchanged between the Parties or originated in the course of cooperation.

ARTICLE 2

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 of thereof, also in the process of being generated, which requires protection against unauthorized disclosure in accordance with the national law of each of the Parties and this Agreement;
- 2) competent authorities – authorities referred to in Article 4 of this Agreement;
- 3) authorized bodies – public authorities, individuals, legal entities or other organizational units, competent to originate, transmit, receive, store, protect and use classified information in accordance with the national 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 coming under the law of one of the Party, which has legal capacity to conclude classified contracts;
- 6) principal – public authority, an individual, a legal entity or other organizational unit coming under the law of one of the Party, which has legal capacity to let classified contracts;

- 7) originating body – the Party, an individual, a legal entity or other organizational unit coming under the law of this Party, which originates and transmits classified information to the recipient body;
- 8) recipient body – the Party, an individual, a legal entity or other organizational unit coming under the law of this Party, which receives classified information from the originating body;
- 9) third party – an international organization or a State not being a Party of this Agreement, an individual or other entity coming under the law of the State.

ARTICLE 3

SECURITY CLASSIFICATION LEVELS

1. Classified Information is granted a security classification level in accordance to its content, pursuant to the national law of the originating body. The recipient body shall guarantee at least an equivalent level of protection of the received classified information, according 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 recipient 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:

REPUBLIC OF POLAND	REPUBLIC OF SERBIA	EQUIVALENT IN ENGLISH
ŚCIŚLE TAJNE	ДРЖАВНА ТАЈНА	TOP SECRET
TAJNE	СТРОГО ПОВЕРЉИВО	SECRET
POUFNE	ПОВЕРЉИВО	CONFIDENTIAL
ZASTRZEŻONE	ИНТЕРНО	RESTRICTED

ARTICLE 4

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 the Republic of Serbia: the Office of the Council on National Security and Classified Information Protection.
2. The Parties shall inform each other via diplomatic channels about amendments regarding competent authorities, referring to in Paragraph 1, or about amendments to their competences.

ARTICLE 5

PRINCIPLES OF CLASSIFIED INFORMATION PROTECTION

1. In accordance with this Agreement and their national law, the Parties shall adopt every measures aimed at the protection of classified information which has been transmitted or originated as a result of the mutual cooperation of the Parties or authorized bodies, including this originated in connection with performance of classified contracts.
2. The recipient body shall use classified information exclusively for the purposes it was transmitted.
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 to such information according to the national law of the recipient body.
4. The recipient body shall not release the information, referred to in Paragraph 1, to the third party without a prior written consent of the originating body.