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**Cyprus
and
Poland**

Agreement between the Government of the Republic of Cyprus and the Government of the Republic of Poland on the mutual protection of classified information. Nicosia, 10 September 2015

Entry into force: *1 February 2017, in accordance with article 15*

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**Chypre
et
Pologne**

Accord entre le Gouvernement de la République de Chypre et le Gouvernement de la République de Pologne sur la protection réciproque des informations classifiées. Nicosie, 10 septembre 2015

Entrée en vigueur : *1^{er} février 2017, conformément à l'article 15*

Textes authentiques : *anglais, grec et polonais*

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AGREEMENT

between the Government of the Republic of Cyprus and the Government of the Republic of Poland on the Mutual Protection of Classified Information

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

having due regard for guaranteeing the mutual protection of all information which has been classified pursuant to the national law of one of the Parties and conveyed or transmitted to the other Party, as well as jointly produced,

being guided by creation of regulation in the scope of the mutual protection of Classified Information, which is to be binding in relation to all mutual cooperation connected with exchange of Classified Information,

confirming that this Agreement shall not affect the commitments of the Parties which stem from other international Agreements,

have agreed as follows:

ARTICLE 1 DEFINITIONS

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

- 1) “Classified Information” – any objects or information, irrespective of the form and manner of recording thereof, also in the process of being originated, which require protection against unauthorized disclosure in accordance with the national law of both Parties;
- 2) “Classified Contract” – an agreement regulating enforceable rights and obligations between the bodies concluding the agreement, performance of which involves access to Classified Information or originating of such information;
- 3) “Competent Authorities” – bodies authorized to convey, transmit, receive, store, protect and use Classified Information in accordance with the national law of their Party, including the Competent Security Authorities;
- 4) “Competent Security Authorities” – authorities referred to in Article 3 Paragraph 2 of this Agreement;

- 5) "Contractor" – a legal entity established under the national law of either of the Parties which has been awarded a Classified Contract or is applying for a Classified Contract;
- 6) "Principal" – a state authority or legal entity entitled to conclude Classified Contract and established under the national law of either of the Parties;
- 7) "Third Party" – any international organization, entity or States which is not a Party to this Agreement, its state bodies, organisations and its citizens as well as persons without citizenship.

ARTICLE 2

THE CATEGORISATION OF CLASSIFIED INFORMATION

1. Classified Information is granted a security classification level in accordance to its content, pursuant to the national law of the originating Party. The recipient Party shall guarantee an equivalent level of protection for the received Classified Information, according to the provisions of Paragraph 3.
2. The security classification level shall be changed or removed only by the Competent Authority, which has granted it. The recipient shall be immediately notified of every change or removal of the security classification level.
3. The Parties agree that the following security classification levels are equivalent:

REPUBLIC OF CYPRUS	REPUBLIC OF POLAND	EQUIVALENT IN ENGLISH
ΑΚΡΩΣ ΑΠΟΡΡΗΤΟ	ŚCIŚLE TAJNE	TOP SECRET
ΑΠΟΡΡΗΤΟ	TAJNE	SECRET
ΕΜΠΙΣΤΕΥΤΙΚΟ	POUFNE	CONFIDENTIAL
ΠΕΡΙΟΡΙΣΜΕΝΗΣ ΧΡΗΣΗΣ	ZASTRZEŻONE	RESTRICTED

ARTICLE 3

COMPETENT SECURITY AUTHORITIES

1. The Competent Security Authorities of the Parties shall supervise the implementation of this Agreement.

2. For the purposes of this Agreement, the Competent Security Authorities shall be:
 - 1) for the Republic of Cyprus: the National Security Authority
 - 2) for the Republic of Poland: the Head of the Internal Security Agency
3. In order to ensure the effective cooperation under this Agreement and in the scope of authority acknowledged by the national law, the Competent Security Authorities may, if necessary and upon mutual consent, conclude written detailed technical or organisational arrangements.

ARTICLE 4

PRINCIPLES OF CLASSIFIED INFORMATION PROTECTION

1. In accordance with this Agreement and their national law, the Parties shall adopt appropriate measures aimed at the protection of Classified Information which is conveyed, transmitted or originated as a result of the mutual cooperation of both Parties or the Competent Authorities, including this originated in connection with the performance of a Classified Contract.
2. The received Classified Information shall be used exclusively for the purposes defined at the conveyance and the transmission thereof.
3. In order to obtain access to information classified as ΕΜΠΙΣΤΕΥΤΙΚΟ/POUFNE/CONFIDENTIAL or above, a personnel security clearance procedure needs to be conducted in accordance with the national law of the Party receiving such information.
4. Access to information classified as ΠΕΡΙΟΡΙΣΜΕΝΗΣ ΧΡΗΣΗΣ/ZASTRZEŻONE/RESTRICTED is regulated by the national law of the Party receiving such information.
5. The Party shall not release the information referred to in Paragraph 1 to any Third Parties without a prior written consent of the Competent Authority of the other Party, which has granted the security classification level.

ARTICLE 5

CLASSIFIED CONTRACTS

1. The Principal may conclude a Classified Contract to the Contractor located in the territory of one of the Parties.

2. In case referred to in Paragraph 1, the Principal shall apply to its Competent Security Authority to request that the Competent Security Authority of the other Party issue a written assurance that the Contractor is a holder of a valid Facility Security Clearance appropriate for the security classification level of the Classified Information the Contractor is authorized to have access to.
3. Issuing of the assurance referred to in Paragraph 2 shall be a guarantee that the Contractor meets the criteria applicable to the protection of Classified Information, as specified in the national law of the Party, in the territory of which the Contractor is located.
4. Classified Information shall not be accessible to the Contractor until the receipt of the assurance referred to in Paragraph 2.
5. The Principal shall transmit to the Contractor a facility security instruction necessary to perform a Classified Contract, which is an integral part of the Classified Contract. This instruction shall contain provisions on the security requirements, in particular:
 - 1) the list of types of the Classified Information related to a given Classified Contract, including their security classification levels;
 - 2) the rules for granting security classification levels to information originated during the performance of a given Classified Contract;
 - 3) the Competent Security Authorities, as referred to in Article 3 Paragraph 2, which are responsible for cooperation in the scope of the protection of Classified Information originated during the performance of a given Classified Contract;
 - 4) the obligation to notify its Competent Security Authority of any breach of security or any suspicion of breach of security.
6. The Principal shall put forward a copy of the facility security instruction to its Competent Security Authority, which shall transmit it to the Competent Security Authority of the Contractor.
7. The performance of the Classified Contract in the part connected with access to Classified Information shall be allowed upon the Contractor's meeting the criteria necessary for the protection of Classified Information, according to the applicable facility security instruction.
8. Any subcontractor shall comply with the same conditions for the protection of Classified Information as those laid down for the Contractor.