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**Spain
and
Cyprus**

Agreement between the Kingdom of Spain and the Republic of Cyprus on the mutual protection of classified information. Madrid, 19 January 2016

Entry into force: *1 August 2017, in accordance with article 14*

Authentic texts: *English, Greek and Spanish*

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**Espagne
et
Chypre**

Accord entre le Royaume d'Espagne et la République de Chypre sur la protection réciproque des informations classifiées. Madrid, 19 janvier 2016

Entrée en vigueur : *1^{er} août 2017, conformément à l'article 14*

Textes authentiques : *anglais, grec et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Espagne, 1^{er} août 2017*

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AGREEMENT

BETWEEN

THE KINGDOM OF SPAIN

AND

THE REPUBLIC OF CYPRUS

**ON THE MUTUAL PROTECTION OF CLASSIFIED
INFORMATION**

The Kingdom of Spain
and
The Republic of Cyprus

(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,

Desiring to create a set of rules on the mutual protection of Classified Information exchanged 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

1. The objective of this Agreement is to ensure the protection of Classified Information that is generated or exchanged between the Parties or between public and private entities under their jurisdiction.
2. Neither Party shall invoke this Agreement in order to obtain Classified Information which the other Party has received from a Third Party.

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 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, Classified Information.
- c) **“Classified Information”** means any information or material, irrespective of its form or nature, which requires protection against unauthorised disclosure and has been classified in accordance with the national legislation of the Parties and has been so designated by a security classification level.
- d) **“Competent Authority”** means the National Security Authority and any other competent entity which, according to the national legislation of the Parties, is responsible for the implementation of this Agreement.
- e) **“Contractor”** means an individual or a legal entity possessing the legal capacity to conclude Classified Contracts.
- f) **“Facility Security Clearance”** means the determination by the Competent Authority confirming, that the legal entity has the physical and organizational capability to handle and store Classified Information up to and including a particular Security Classification Level, in accordance with the respective national legislation.
- g) **“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 of this Agreement.
- h) **“Need-to-know”** means the necessity to have access to specific Classified Information for the performance of a specific task.
- i) **“Originating Party”** means the Party which has created Classified Information.

- j) **“Personnel Security Clearance”** means the determination by the Competent Authority confirming, in accordance with the respective national legislation, that the individual has been security cleared to access and handle Classified Information up to and including a specified Security Classification Level in accordance with its national laws and regulations.
- k) **“Receiving Party”** means the Party to which Classified Information of the Originating Party is transmitted.
- i) **“Third Party”** means any state, including legal entities and individuals under its jurisdiction, or International Organisation, which is not a party to this Agreement.

ARTICLE 3 SECURITY CLASSIFICATION LEVELS

The Parties agree that the following security classification levels and markings are equivalent and correspond to the security classification levels specified in the table below:

For the Kingdom of Spain	For the Republic of Cyprus
SECRETO	ΑΚΡΩΣ ΑΠΟΡΡΗΤΟ
RESERVADO	ΑΠΟΡΡΗΤΟ
CONFIDENCIAL	ΕΜΠΙΣΤΕΥΤΙΚΟ
DIFUSIÓN LIMITADA	ΠΕΡΙΟΡΙΣΜΕΝΗΣ ΧΡΗΣΗΣ

The Classified Information exchanged under this Agreement, shall bear the appropriate security and equivalent classified level and marking in both languages (Spanish and Greek).