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**Poland
and
Viet Nam**

Agreement between the Government of the Republic of Poland and the Government of the Socialist Republic of Viet Nam on mutual protection of classified information. Hanoi, 9 September 2010

Entry into force: *1 November 2011, in accordance with article 16*

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**Pologne
et
Viet Nam**

Accord entre le Gouvernement de la République de Pologne et le Gouvernement de la République socialiste du Viet Nam relatif à la protection mutuelle des informations classifiées. Hanoï, 9 septembre 2010

Entrée en vigueur : *1^{er} novembre 2011, conformément à l'article 16*

Textes authentiques : *anglais, polonais et vietnamien*

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AGREEMENT

between the Government of the Republic of Poland and the Government of the Socialist Republic of Vietnam on mutual protection of classified information

The Government of the Republic of Poland and the Government of the Socialist
Republic of Vietnam, hereinafter referred to as the “Parties”,
having due regard for guaranteeing mutual protection of all information which has
been classified pursuant to the internal laws of one of the Parties and transmitted to
the other Party or produced during the cooperation course,
being guided by creation of regulation in the scope of mutual protection of
Classified Information, which is to be binding in relation to all mutual cooperation
connected with exchange of Classified Information,
assuming that this Agreement shall not prejudice any obligation of each Party in
the relation to the treaties or agreements that the Parties adhered to,

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 and objects or any part thereof, which require protection against unauthorized disclosure in accordance with the internal laws of each of the Parties and this Agreement;
2. "Competent Authorities" – authorities referred to in Article 3 of this Agreement;
3. "Authorized Bodies" – individuals, legal entities or other organizational units, competent to transmit, receive, store, protect and use Classified Information in accordance with the internal laws of their Party, including the Competent Authorities;
4. "Classified Contract" – an agreement, performance of which involves access to Classified Information or originating of such information;
5. "Contractor" – an individual, a legal entity or an organizational unit, which has legal capacity to conclude contracts;
6. "Principal" – a body which has legal capacity to let a Classified Contract;
7. "Originating Party" – the Party, an individual and every public or private entity under its jurisdiction, which originates and releases Classified Information to the other Party;
8. "Recipient Party" – the Party, an individual and every public or private entity under its jurisdiction, which receives Classified Information from the other Party;
9. "Third Party" – a state, an individual or every public or private entity under its jurisdiction, as well as every 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 laws of the Originating Party. The Recipient Party shall guarantee the equivalent level of protection of the received Classified Information, according to provisions of Paragraph 3.
2. The security classification level shall be changed or removed only by the Authorized Bodies, which has granted it. The Recipient Party 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	SOCIALIST REPUBLIC OF VIETNAM	EQUIVALENT IN ENGLISH
ŚCIŚLE TAJNE	TUYỆT MẬT	TOP SECRET
TAJNE	TÓI MẬT	SECRET
POUFNE	MẬT	CONFIDENTIAL

4. Information received from the Republic of Poland classified as ZASTRZEŻONE shall be protected as MẬT in the Socialist Republic of Vietnam.

ARTICLE 3

COMPETENT AUTHORITIES

For the purpose of this Agreement, the Competent Authorities shall be:

1. for the Republic of Poland: the Head of the Internal Security Agency in the civilian sphere and the Head of the Military Counter-Intelligence Service in the military sphere;
2. for the Socialist Republic of Vietnam: The Minister of Public Security in the civilian sphere and the Minister of National Defence in the military sphere.

ARTICLE 4

PRINCIPLES OF CLASSIFIED INFORMATION PROTECTION

1. In accordance with this Agreement and the internal laws, the Parties shall adopt appropriate measures aimed at the protection of Classified Information which is transmitted or originated as a result of mutual co-operation of both Parties or the Authorized Bodies, including this originated in connection with performance of Classified Contract.
2. The Recipient Party shall use the Classified Information exclusively for the purposes defined at the transmission thereof.
3. The Recipient Party shall not release the information referred to in Paragraph 1 to Third Parties without a prior written consent of the Originating Party.
4. Access to Classified Information shall be granted only to those persons who have a need-to-know and who have been authorized access to such information after having been cleared to the relevant level as well as briefed in the scope of the protection of Classified Information according to the internal laws of the Recipient Party .