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**Poland
and
Romania**

Agreement between the Government of the Republic of Poland and the Government of Romania on the mutual protection of classified information. Bucharest, 5 July 2006

Entry into force: *1 June 2007, in accordance with article 15*

Authentic texts: *English, Polish and Romanian*

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**Pologne
et
Roumanie**

Accord entre le Gouvernement de la République de Pologne et le Gouvernement de la Roumanie relatif à la protection mutuelle des informations classifiées. Bucarest, 5 juillet 2006

Entrée en vigueur : *1^{er} juin 2007, conformément à l'article 15*

Textes authentiques : *anglais, polonais et roumain*

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

The Government of the Republic of Poland and the Government of Romania,

hereinafter referred to as "the Contracting Parties",

Developing co-operation based on mutual interest and confidence,

Having due regard for guaranteeing mutual protection of all information

which has been classified pursuant to the internal legislation of either

Contracting Party and transmitted to the other Contracting Party,

Have agreed as follows:

ARTICLE 1

DEFINITIONS

For the purpose of this Agreement, the following terms are defined:

- a) "**Classified Information**" - any information which, irrespective of the form and manner of expression thereof, also during the preparation thereof, is classified according to the internal legislation of each Contracting Party as requiring protection against unauthorized disclosure;
- b) "**Competent Security Authority**" - a state authority competent for the protection of Classified Information as stated in Article 3;
- c) "**Authorized Entity**" - a body or an institution with competencies in the field of protection of Classified Information specified in the internal legislations of the Contracting Parties, authorized to issue, transmit, receive, store, protect and use Classified Information;
- d) "**Contractor/Subcontractor**" - an individual or a legal entity who intends to conclude or is a party to a Classified Contract;
- e) "**Classified Contract**" - an agreement between two or more Contractors/Subcontractors creating and defining enforceable rights and obligations between them, which contains or involves Classified Information;
- f) "**Prime-Contractor**" - a state body or legal entity which intends to grant or grants the performance of a Classified Contract in the territory of the state of the other Contracting Party;
- g) "**Third Party**" - any individual, institution, national and international organization, public or private entity or a state that is not a party to this Agreement;
- h) "**Personnel Security Clearance**" - a document attesting that the holder may have access to Classified Information in accordance with the internal legislation

- of the Contracting Party;
- i) **"Facility Security Clearance"** - a document issued by the Competent Security Authority attesting that the Contractor/Subcontractor has the physical and organizational capability of using and storing Classified Information in accordance with the internal legislation of the Contracting Party;
 - j) **"Security Aspects Letter"** - a document issued by the Prime-Contractor related to a Classified Contract, identifying the security requirements or those elements of the contract requiring protection;
 - k) **"Security Classification Check-List"** - a listing of the information connected with the various aspects of a Classified Contract that should be classified according to a specified security classification level.

ARTICLE 2

SECURITY CLASSIFICATIONS

The Contracting Parties agree that the following security classification levels are equivalent:

Republic of Poland	Romania	English language equivalent
ŚCIŚLE TAJNE	STRICT SECRET DE IMPORTANȚĂ DEOSEBITĂ	TOP SECRET
TAJNE	STRICT SECRET	SECRET
POUFNE	SECRET	CONFIDENTIAL
ZASTRZEŻONE	SECRET DE SERVICIU	RESTRICTED

ARTICLE 3

COMPETENT SECURITY AUTHORITY

1. For the purpose of this Agreement, the Competent Security Authority shall be:
 - for the Republic of Poland: the Head of the Internal Security Agency – in the civil sphere and the Head of the Military Information Services – in the military sphere;
 - for Romania: the National Registry Office for Classified Information.
2. In order to achieve and maintain comparable standards of security, the Competent Security Authorities of the Contracting Parties shall provide each other information about the adopted security standards, procedures and practices applicable for protection of Classified Information.
3. The Competent Security Authorities shall, upon request and taking into account their internal legislation, assist each other in the security clearance procedures for the issuance of the Personnel Security Clearance and the Facility Security Clearance.
4. The Competent Security Authorities may conclude agreements for the purpose of implementation of the provisions hereof.

ARTICLE 4

PROTECTION OF CLASSIFIED INFORMATION

1. In accordance with this Agreement and their internal legislation, the Contracting Parties shall adopt appropriate measures to protect Classified Information which is transmitted or originated as a result of their mutual co-operation.
2. The Contracting Parties shall provide for the information referred to in paragraph 1 at least the same protection as applicable to their own Classified Information