

No. 9701

DENMARK
and
CANADA

Exchange of notes constituting an agreement on a programme of exchanges of information in defence science. Copenhagen, 30 May and 25 July 1968

Authentic texts: English and French.

Registered by Denmark on 2 July 1969.

DANEMARK
et
CANADA

Échange de notes constituant un accord relatif à un programme d'échange de renseignements scientifiques intéressant la défense. Copenhague, 30 mai et 25 juillet 1968

Textes authentiques: anglais et français.

Enregistré par le Danemark le 2 juillet 1969.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE GOVERNMENT OF DENMARK AND
THE GOVERNMENT OF CANADA ON A PROGRAMME
OF EXCHANGES OF INFORMATION IN DEFENCE
SCIENCE

I

CANADIAN EMBASSY

1. The Canadian Embassy presents its compliments to the Royal Danish Ministry of Foreign Affairs and has the honour to propose, on behalf of the Government of Canada, that an Agreement on a programme of exchanges of information in defence science be concluded between Denmark and Canada to promote research concerning the defence of the two countries.

2. The fields of defence science and the specific projects to which this Agreement will apply shall be those mutually agreed upon by the Chairman of the Defence Research Board on behalf of Canada and the Chairman of the Danish Defence Research Board on behalf of Denmark, who will establish detailed arrangements for the exchange of defence science information to such extent as is permissible under the laws of their respective countries.

3. The undertakings pursuant to this Agreement shall be known as : “ Canada-Denmark Defence Science Information Exchange Programme ”. The activity of scientific exchanges within a particular and designated field of defence science shall be known as : “ Canada-Denmark Defence Science Information Exchange Project ”.

4. Subject to the proviso in paragraph 5, there will be a full exchange of scientific and technical information on the designated subjects to which both countries consider this Agreement applicable. Either country will arrange on request for mutually agreed representatives of the other country to have access to establishments, or other places where the scientific activity or agreed projects are being carried out, for the purpose of obtaining a complete disclosure of information on those projects.

5. The Government of Canada and the Government of Denmark recognize that restrictions may be placed on the exchange of certain information where a third organization or country not a party to this Agreement may be the originator. Exchange of such information will be contingent upon the approval of the third party concerned.

¹ Came into force on 25 July 1968 by the exchange of the said notes.

6. In turn, neither country will release information received under this Agreement to a third organization or country without prior consent of the originator.

7. The necessary measures will be taken for the definition of the classified aspects of each project established for information exchange and for the allocation of agreed and appropriate security classifications.

8. The general NATO Security Regulations shall apply correspondingly to matters concerning the reciprocal safeguarding of classified information and documents exchanged under the provisions of the present Agreement and to personnel security.

9. Access to establishments or places referred to in paragraph 4 shall be granted only to, and classified oral information shall be communicated only to, persons cleared to handle classified material who have been specifically authorized thereto by the competent authority of the Sending State referred to in paragraph 2. The scope and duration of the authorization shall be confirmed in a letter addressed to the competent authority of the other State referred to in paragraph 2. The degree of security covered by the clearance to handle classified material shall be stated in that letter.

10. Classified information received under this Agreement will continue to be safeguarded after the termination of this Agreement in accordance with agreed security provisions.

11. Existing and potential proprietary rights, where applicable, will be protected in accordance with the laws of either country, and no use will be made of information which might endanger these rights without prior agreement of the originator. The originator's prior agreement will be obtained before any information is used for nonmilitary purposes. Information disclosing proprietary rights will be exchanged between the two countries under arrangement and procedures agreeable to both.

12. If the foregoing proposals are acceptable, the Canadian Embassy has the honour to suggest that this Note which is authentic in both French and English and the confirmation in reply of the Ministry of Foreign Affairs shall constitute an Agreement between the two governments, which shall come into force on the date of the Ministry's reply and which shall remain in force until six months from the day on which either government shall have given written notice of termination to the other.

13. The Canadian Embassy in Denmark avails itself of this opportunity to renew to the Ministry of Foreign Affairs of Denmark the assurances of its highest consideration.

Copenhagen, May 30, 1968.

II

The Ministry of Foreign Affairs has the honour to acknowledge receipt of the Canadian Embassy's Note of May 30, 1968, the terms of which are as follows :

[*See note I*]

The Ministry of Foreign Affairs has the honour to inform the Embassy that the Government agrees to this arrangement and regards the Embassy's Note and this reply as constituting a formal agreement between the Government of Denmark and the Government of Canada on this matter.

Copenhagen, July 25, 1968

Canadian Embassy
Copenhagen