

No. 24037

**NETHERLANDS
and
SWEDEN**

**Agreement on the reciprocal protection of classified military
information. Signed at The Hague on 29 October 1984**

Authentic text: English.

Registered by the Netherlands on 21 April 1986.

**PAYS-BAS
et
SUÈDE**

**Accord relatif à la protection réciproque de renseignements
militaires classés secrets. Signé à La Haye le 29 octobre
1984**

Texte authentique : anglais.

Enregistré par les Pays-Bas le 21 avril 1986.

AGREEMENT¹ BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE KINGDOM OF SWEDEN ON THE RECIPROCAL PROTECTION OF CLASSIFIED MILITARY INFORMATION

The Government of the Kingdom of the Netherlands and the Government of the Kingdom of Sweden,

Desirous of ensuring the protection of classified information which, in the interest of national defence, is exchanged between the competent authorities of the two countries or which, within the frame-work of governmental contracts or orders, is supplied to industrial firms and Government defence research organizations in the respective countries,

Have agreed as follows:

Article 1

For the purposes of this Agreement, the term “classified information” means information, documents or any other matter in the defence sector to which a security classification has been applied by the originating country. This definition is independent of the means of transmission of the information, i.e. whether transmitted in writing, orally, by technical means or through the handing over of material.

Article 2

The two Governments undertake to apply the following general principles for the protection of classified information:

- a. The information received shall be given at least the same degree of security protection in the receiving country as in the originating country;
- b. The information supplied may not be used for purposes other than those agreed upon;
- c. The information supplied may not be disclosed to the Government, authorities, firms or nationals of a third State without the previous written consent of the originating country.

Article 3

Access to classified information shall be limited to those whose duties require such access and who have been security cleared at the appropriate level and have the requisite knowledge of security procedures. No person is entitled solely by virtue of rank or appointment to be given access to classified information.

Article 4

Each Government will permit security experts of the other Government to make periodic visits to its territory when it is mutually convenient, to discuss with

¹ Came into force on 1 December 1985, i.e., the first day of the second month following the date on which the Government of the Kingdom of the Netherlands had informed the Government of the Kingdom of Sweden (on 25 October 1985) of the completion of its required constitutional procedures, in accordance with article 9.

its security authorities its procedures and facilities for the protection of classified information furnished to it by the other Government. Each Government will assist such experts in determining whether such information provided to it by the other Government is being adequately protected.

Article 5

Proprietary rights, patents, trade secrets, copyright and similar rights relating to classified information transmitted between the two countries shall be respected and protected in accordance with the legislation applicable in the receiving country.

Article 6

No compensation will be paid between the two Governments for costs arising in connection with the carrying out of security measures.

Article 7

Details of the implementation and application of the provisions of this Agreement will be the subject of separate arrangements to be concluded between the competent authorities of the two countries.

Article 8

This Agreement is subject to review at any time at the request of either Government.

Article 9

This Agreement shall enter into force on the first day of the second month after the date on which the Government of the Kingdom of the Netherlands informs the Government of the Kingdom of Sweden that the procedures constitutionally required in the Kingdom of the Netherlands have been complied with.

Article 10

As concerns the Kingdom of the Netherlands, this Agreement will apply to its territory in Europe only.

Article 11

This Agreement shall terminate six months after the receipt by either Government of a written notice of termination from the other Government.

Such termination shall not affect any obligation or liability which may have been assumed under the terms of this Agreement.

DONE in duplicate at The Hague on 29 October 1984.

For the Government
of the Kingdom of the Netherlands:
H. VAN DEN BROEK

For the Government
of the Kingdom of Sweden:
C.-H. NAUCKHOFF