

**Agreement on the Joint Protection of Confidential Information
by and between the Great Socialist People's Libyan Arab Jamahiriya
and the Government of the Russian Federation**

The Great Socialist People's Libyan Arab Jamahiriya and the Government of the Russian Federation (hereinafter referred to as "the Parties");

Desiring to protect confidential information exchanged during political, military, economic and other cooperation as well as confidential information arising from such cooperation, and taking into consideration the agreement signed by the Great Socialist People's Libyan Arab Jamahiriya and the Government of the Russian Federation on military and technical cooperation dated 14/10/1999 AD, as well as the mutual interest in protecting confidential information in accordance with the laws and administrative and technical legislative procedures in the Parties' countries;

have agreed upon the following:

**Article (1)
Definitions**

The terms used in this Agreement shall have the following meanings:

1. Confidential information:

All types and forms of information protected under the laws and administrative, technical and legislative procedures in the Parties' countries that is transferred and obtained in the manner approved for both Parties to this Agreement as well as information arising from the Parties' cooperation that could cause harm to the security or interests of the Great Jamahiriya or the Russian Federation, if disseminated.

2. Bearers of confidential information:

Material tools and equipment including physics fields where confidential information is expressed in the form of letters, images, signs, technical systems and operations.

3. Statement of confidentiality:

The mark that describes the degree of confidentiality of the information contained in the bearer of information; this mark is placed on said bearer or written in the documentation attached thereto.

4. Authorised bodies:

The state bodies or institutions, authorities or units of both Parties authorised to handle confidential information, including the receipt, utilisation, protection, delivery and preservation thereof.

5. License to know confidential information:

The issuance of a license authorising a person or authorised bodies to know confidential information.

6. Contract:

A civil law agreement entered into by authorised bodies in the Parties' countries that involves the handover or production of confidential information during the cooperation.

Article (2)

Competent Bodies

1. The competent bodies responsible for the implementation and monitoring of this Agreement (hereinafter referred to as a "competent body") are:
 - In the Great Socialist People's Libyan Arab Jamahiriya: Intelligence Department.
 - In the Russian Federation: Russian Federation Federal Security Service.
2. Based on the nature of the cooperation, the Parties may appoint another competent body; notification of such shall be made through diplomatic channels.

Article (3)

Confidentiality Level Formula

The Parties have determined their confidentiality levels and those corresponding to the other Party's, as follows:

In the Great Jamahiriya:	In the Russian Federation:
Extremely confidential	OCOBN BAXHOCTN
Highly confidential	COBEPWEHHO CEKPETHO
Confidential	CEKPETHO

Article (4)

Protection of Confidential Information

1. The parties commit to the following:
 - To adopt the legal, administrative and technical measures and procedures necessary to protect confidential information, to not circulate information other than that permitted, ensure that such information is not seen by a third party and not use such information other than for the purposes agreed upon by the Parties, in accordance with the laws and administrative, technical and legislative procedures in the Parties' countries.
 - To not change the confidentiality level of confidential information without obtaining prior written approval from the Party that handed over the confidential information.
 - The Parties shall apply the same procedures to protect the confidential information received from the other Party that is applied to their information with the same confidentiality level (the equivalent level under Article (3) of this Agreement).
 - To not enable a third party to know confidential information without obtaining prior written approval from the Party that handed over the confidential information.
2. Confidential information may be known only by the persons whose knowledge of such information is deemed necessary to perform their professional duties for the purposes stipulated when handing over the confidential information and those holding licenses to know or authorised to know or deal therewith.

Article (5)

Handover of Confidential Information

1. Decisions to hand over information adopted by the body that hands over such information shall be made in accordance with the laws and administrative, technical and legislative procedures in its country.
2. Confidential information shall be handed over through diplomatic channels or through a private document courier service or any other body authorised as set out in bilateral agreements (contracts) for such, and the authorised bodies shall confirm receipt of the confidential information.
3. Authorised bodies on both sides shall agree on the manners and methods of transport and protection of large-scale confidential information, in accordance with the Parties' laws and administrative, technical and legislative procedures.

Article (6)

1. The authorised bodies responsible for the receipt of confidential information shall indicate the appropriate statement of confidentiality level for the equivalent confidentiality level in accordance with Article (3) of this Agreement, and the confidentiality level must be entered on the bearer of information, translation, copy or photocopy of confidential information arising from cooperation between the Parties or the partial use of the other confidential information.
2. The recording, keeping and categorisation of confidential information shall be in accordance with the proper rules and requirements on the treatment of confidential information inside the Parties' countries.
3. If new confidential information is produced based on mutual cooperation and the relevant confidentiality level is determined, the Parties shall preserve and not change such except with the agreement of the Parties' authorised bodies.

Article (7)

Contracts

This Agreement shall apply to all bilateral cooperation agreements and contracts to be entered into by the Parties' authorised bodies related to information of a confidential nature. Contracts entered into by the Parties' authorised bodies shall include a detailed section containing the following:

- A list of confidential information and the levels thereof.
- Specifications for protecting the bearers of confidential information and the terms of their use, keeping, and categorisation.
- Manner for resolving disputed matters and limiting potential outcomes of the illegal dissemination of confidential information.

Article (8)

Violation of the Terms for Protection of Confidential Information

1. The Parties' authorised or competent bodies shall report incidents to each other where the terms for handling information were violated that led or might lead to its illegal circulation.
2. The authorised or competent body shall conduct an investigation on its territory and determine and hold accountable the negligent parties.

3. The Parties' authorised competent bodies shall report the results of the investigation to each other, along with the procedures adopted.

Article (9)

Costs of Protecting Confidential Information

Costs that arise as a result of the authorised bodies of one Party adopting measures to protect confidential information are not subject to compensation from the authorised bodies of the other Party.

Article (10)

Visits

1. Visits of delegates from one Party's authorised body that require knowing confidential information concerning the other Party country shall take place on the basis of the laws and the technical, administrative and legislative procedures of the host Party's country.
2. During the visit, the delegate of a Party's authorised body may view the rules for working with confidential information having the appropriate level of confidentiality in place with the other Party, and these rules shall be respected and observed in accordance with paragraph (1) of this Article.

Article (11)

Consulting

Upon implementation of this Agreement, the competent bodies shall conduct joint consultations when required, with the aim of providing conditions for cooperation.

Article (12)

Treatment of Other Agreements

1. The provisions concerning the protection of confidential information set out in agreements in effect between the Parties, as well as between the competent bodies or the authorised bodies in the Parties' countries, shall remain in force if they do not conflict with the provisions of this Agreement.
2. This Agreement shall not affect the international obligations of both Parties with regard to the protection of confidential information.

Article (13)

Addressing Disputes

1. Disputes over the interpretation or application of this Agreement shall be resolved through consultations and negotiations between the Parties' concerned bodies.
2. In the event of a dispute, the Parties shall continue to implement all obligations arising from this Agreement until a final resolution to the dispute is reached.

Article (14)

Changes

Amendments and additions may be made to this Agreement by written agreement of the Parties.

Article (15)

Start, Duration and End of the Agreement

1. This Agreement shall become effective from the date the last written notice is received through diplomatic channels on the implementation of the internal official procedures by both sides required for it to enter into force.
2. This Agreement shall be effective for a period of ten years and shall be automatically renewed each time for the same period if neither Party informs the other Party in writing through diplomatic channels of their desire to terminate the Agreement, not less than six months prior to the end of the Agreement term. In this case, the Agreement shall expire six months from the date the aforementioned notice is received.
3. After the expiration of the Agreement, the procedures for the protection of confidential information referred to in Article (4) and Article (6) shall continue to be implemented until the statement of confidentiality is removed from the relevant information.

Drafted and signed in Tripoli on 17/04/1376 FDP (2008 AD) in two original copies, in the Arabic and Russian languages, each having the same force.

**For the Great Jamahiriya
Staff Colonel
Al-Birani Abdullah Shakal
Director of the Intelligence Department**

**For the Government of the Russian Federation
General
Sergey Smirnov
First Deputy Director of the Federal Security Service**