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AGREEMENT BETWEEN THE UNITED STATES AND NEW NATO PARTIES ON THE PROVISION OF ATOMIC INFORMATION

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

THE TEXT OF THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION, INCLUDING A TECHNICAL ANNEX AND SECURITY ANNEX, PURSUANT TO SECTIONS 123 AND 144 b. OF THE ATOMIC ENERGY ACT, AS AMENDED

JANUARY 13, 2009.—Message and accompanying papers referred to the Committee on Foreign Affairs and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

79–011 WASHINGTON : 2009

To the Congress of the United States:

I am pleased to transmit to the Congress, consistent with sections 123 and 144 b. of the Atomic Energy Act, as amended (42 U.S.C. 2153 and 2164(b)), the text of the Agreement between the Parties to the North Atlantic Treaty for Co-operation Regarding Atomic Information, including a technical annex and security annex (hereinafter collectively referred to as the ATOMAL Agreement), as a proposed agreement for cooperation within the context of the North Atlantic Treaty Organization (NATO) between the United States of America and each of the following seven new members of NATO: the Republic of Bulgaria, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, Romania, the Slovak Republic, and the Republic of Slovenia, hereinafter the "New Parties." I am also pleased to transmit my approval, authorization, and determination concerning the ATOMAL Agreement with respect to the New Parties, together with a copy of the memorandum of the Secretary of Defense with respect to the agreement. The ATOMAL Agreement entered into force on March 12, 1965, with respect to the United States and the other NATO members at that time. The Czech Republic, the Republic of Hungary, the Republic of Poland, and Spain subsequently became parties to the ATOMAL Agreement. The New Parties have signed this agreement and have indicated their willingness to be bound by it. The ATOMAL Agreement with respect to the New Parties meets the requirements of the Atomic Energy Act of 1954, as amended. While the ATOMAL Agreement continues in force with respect to the United States and the other current parties to it, it will not become effective as an agreement for cooperation authorizing the exchange of atomic information with respect to the New Parties until completion of procedures prescribed by sections 123 and 144 b. of the Atomic Energy Act of 1954, as amended.

For more than 40 years, the ATOMAL Agreement has served as the framework within which NATO and the other NATO members that have become parties to this agreement have received the information that is necessary to an understanding and knowledge of and participation in the political and strategic consensus upon which the collective military capacity of the Alliance depends. This agreement permits only the transfer of atomic information, not weapons, nuclear material, or equipment. Participation in the ATOMAL Agreement will give Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia the same standing within the Alliance with regard to nuclear matters as that of the other current parties to the ATOMAL Agreement. This is important for the cohesiveness of the Alliance and will enhance its effectiveness.

I have considered the views and recommendations of the Department of Defense and other interested agencies in reviewing the ATOMAL Agreement and have determined that its performance,

including the proposed cooperation and the proposed communication of Restricted Data thereunder, with respect to the New Parties will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the ATOMAL Agreement with respect to the New Parties and authorized the Department of Defense to cooperate with the New Parties in the context of NATO upon satisfaction of the requirements of section 123 of the Atomic Energy Act of 1954, as amended.

The 60-day continuous session period provided for in section 123 begins upon receipt of this submission.

GEORGE W. BUSH.

THE WHITE HOUSE, *January 9, 2009.*

SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

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MEMORANDUM FOR THE PRESIDENT

THROUGH: ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

SUBJECT: Provision of Atomic Information to Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia

I hereby submit for your consideration and approval pursuant to sections 123 and 144 b. of the Atomic Energy Act of 1954, as amended, an agreement for cooperation authorizing the exchange of atomic information within the context of the North Atlantic Treaty Organization (NATO) as between the United States and the following seven members of NATO: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia, hereinafter the "New Parties." The attached Agreement between the Parties to the North Atlantic Treaty for Co-operation Regarding Atomic Information, including a technical annex and a security annex (hereinafter collectively referred to as the ATOMAL Agreement), was entered into force on March 12, 1965, with respect to the United States and the other NATO members at that time. This agreement continues in force with respect to the original parties and is being submitted now only with respect to the New Parties. The ATOMAL Agreement will not become effective as an agreement for cooperation under U.S. law with respect to the New Parties until completion of procedures prescribed by sections 123 and 144 b. of the Atomic Energy Act of 1954, as amended. (One of those prescribed procedures is authorization of execution of the agreement; the ATOMAL Agreement having been executed by the United States in 1964, there is no need to approve its execution by the United States now.)

The ATOMAL Agreement authorizes communication by the Government of the United States to NATO and its member states of such atomic information as is determined by the Government of the United States of America to be necessary to.

a. Develop defense plans;

b. Train personnel in the employment of and defense against atomic weapons and other military applications of atomic energy;

c. Evaluate the capabilities of potential enemies in the employment of atomic weapons and other military applications of atomic energy; and

d. Develop delivery systems compatible with the atomic weapons that they carry.

"Atomic information" is defined in Article IX of the ATOMAL Agreement as "information which is designated 'Restricted Data' or 'Formerly Restricted Data' by the Government of the United States of America." For more than 43 years, the ATOMAL Agreement has served as the framework within which NATO and the other NATO members party to this agreement have received the information that is necessary to an understanding and knowledge of, and participation in, the political and strategic consensus upon which the collective military capacity of the alliance depends.

No member of NATO may receive atomic information from the United States unless it is also a party to the ATOMAL Agreement. When that agreement was concluded in 1964, all of the members of NATO at that time became parties. The ATOMAL Agreement contains no accession clause. It, in effect, constitutes a bilateral section 144 b. agreement between the United States and each of the other signatories in the context of NATO. Accordingly, signature of the ATOMAL Agreement by any new member of NATO, in effect, would create a new bilateral agreement between the United States and that country that would have to be submitted to Congress in accordance with section 123 as a new agreement for cooperation between the United States and the new member in the context of NATO. Since conclusion of the ATOMAL agreement in 1964, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia have become members of NATO, have now signed the agreement, and have indicated their willingness to be bound by it. Their participation in the ATOMAL Agreement will give them the same standing within the alliance with regard to nuclear matters as that of the other members. To authorize communication of atomic information to these seven countries on the same basis as the current parties to the ATOMAL Agreement, I recommend you submit to Congress, for a period of 60 days of continuous session pursuant to section 123 of the Act, the ATOMAL Agreement as an agreement for cooperation between the United States and each of the New Parties.

The ATOMAL Agreement, which was in compliance with the substantive requirements of section 123 when it originally entered into force, continues to be in compliance with the substantive requirements of section 123 as it has since been amended. This agreement permits only the transfer of information, not weapons, nuclear material or equipment. Since only atomic information is transferred pursuant to this agreement, the only relevant substantive provision of section 123 relates to restrictions on retransfer of Restricted Data. Section 123 a.(5) of the Atomic Energy Act of 1954, as amended, requires for an agreement for cooperation "a guaranty by the cooperating party that any . . . Restricted Data transferred pursuant to the agreement for cooperation . . . will not be transferred to unauthorized persons or beyond the jurisdiction or control of the cooperating party without the consent of the United States." This requirement is met in this Agreement by the commitments set forth in the following paragraphs of Article V of the ATOMAL Agreement:

4. Atomic information communicated or exchanged pursuant to this Agreement shall not be communicated or exchanged by the North Atlantic Treaty Organization or persons under its jurisdiction to any unauthorized persons or, except as provided in paragraph 5 of this article, beyond the jurisdiction of that Organization.

5. Unless otherwise specified by the Government of the United States of America, United States atomic information provided to the North Atlantic Treaty Organization may be communicated by the North Atlantic Treaty Organization to its member states as necessary to carry out functions related to NATO missions, provided that dissemination of such atomic information within such member states is limited to those specific individuals concerned with the NATO missions for which the information is required. Member states agree that atomic information so received from the North Atlantic Treaty Organization or otherwise pursuant to this Agreement will not be transferred to unauthorized persons or beyond the jurisdiction of the recipient member state; however, such information may be communicated to the North Atlantic Treaty Organization or, when authorized by the Government of the United States of America, to other member states requiring the information for functions related to NATO missions.

In the last sentence of paragraph 5, member states agree not to transfer atomic information received pursuant to this agreement to unauthorized persons or beyond the jurisdiction of the recipient member state. Although they additionally are expressly permitted in that sentence to communicate such information to NATO, they may communicate it to other member states only "when authorized by the Government of the United States of America." With respect to NATO, the first sentence of paragraph 5 allows the United States to specify that NATO may not communicate United States atomic information to any particular member state or states. Thus, an effect of paragraph 5 is to allow the United States to specify that no atomic information may be transferred to any member of NATO that is not a party to the ATOMAL Agreement either by NATO or duly authorized member state recipients except with United States authorization. Furthermore, Article VI of the ATOMAL Agreement allows the United States, notwithstanding any other provision of the Agreement, to restrict dissemination of any atomic information that it provides. These provisions meet the requirement of section 123 a.(5) of the Atomic Energy Act, as amended, because the United States can, and must specify that no atomic information may be transferred to any NATO member until it becomes a party to the ATOMAL Agreement. (As noted above, "atomic information" includes both Restricted Data and Formerly Restricted Data.)

The New Parties, in participating with the Government of the United States in NATO, are making substantial and material contributions to the mutual defense and security. It is the view of the Department of Defense that the addition of the New Parties to the ATOMAL Agreement is entirely in accord with the provisions of the Atomic

Energy Act of 1954, as amended. It is the considered opinion of the Department of Defense that the performance of the ATOMAL Agreement with the New Parties will promote and will not constitute an unreasonable risk to the common defense and security. Accordingly, in accordance with sections 123 and 144 b. of the Atomic Energy Act of 1954, as amended, I recommend you sign the determination, approval, and authorization at Attachment 1, whereby you:

a. Determine the performance of the ATOMAL Agreement, including the proposed cooperation and the proposed communication of Restricted Data thereunder, with respect to the New Parties will promote, and will not constitute an unreasonable risk to, the common defense and security;

b. Approve the ATOMAL Agreement with respect to the New Parties; and

c. Authorize the Department of Defense to cooperate with the New Parties to the ATOMAL Agreement in the context of NATO upon satisfaction of the requirements of section 123 of the Atomic Energy Act of 1954, as amended.

I further recommend you sign the proposed transmittal to the Congress at Attachment 2. The U.S. Department of State and the U.S. Department of Energy concur in the foregoing recommendations.

Attachments:
As stated

THE WHITE HOUSE

WASHINGTON

January 9, 2009

MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: Provision of Atomic Information to Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia

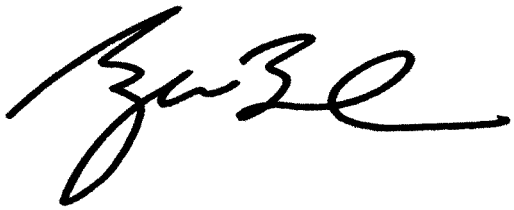
In your memorandum to me of August 1, 2008, you recommended that I approve pursuant to sections 123 and 144 b. of the Atomic Energy Act of 1954, as amended, an agreement for cooperation within the context of the North Atlantic Treaty Organization (NATO) as between the Government of the United States and the following seven new members of NATO: the Republic of Bulgaria, the Republic of Estonia, the Republic of Latvia, the Republic of Lithuania, Romania, the Slovak Republic, and the Republic of Slovenia, hereinafter the "New Parties." The subject agreement is the Agreement between the Parties to the North Atlantic Treaty for Co-operation Regarding Atomic Information, including a technical annex and security annex (hereinafter collectively referred to as the ATOMAL Agreement), which entered into force on March 12, 1965, with respect to the United States and the other members of NATO at that time.

Having considered your recommendations and the cooperation provided for in the ATOMAL Agreement with respect to the New Parties, in accordance with sections 123 and 144 b. of the Atomic Energy Act of 1954, as amended, I hereby:

a. Determine that the performance of the ATOMAL Agreement, including the proposed cooperation and the proposed communication of Restricted Data thereunder, with respect to the New Parties, will promote, and will not constitute an unreasonable risk to, the common defense and security.

b. Approve the ATOMAL Agreement with respect to the New Parties.

c. Authorize the Department of Defense to cooperate with the New Parties to the ATOMAL Agreement in the context of NATO upon satisfaction of the requirements of section 123 of the Atomic Energy Act of 1954, as amended.



AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

ACCORD ENTRE LES ETATS PARTIES AU TRAITE DE L'ATLANTIQUE NORD SUR LA COOPERATION DANS LE DOMAINE DES RENSEIGNEMENTS ATOMIQUES

ACCORD ENTRE LES ETATS PARTIES AU TRAITE DE L'ATLANTIQUE NORD SUR LA COOPERATION DANS LE DOMAINE DES RENSEIGNEMENTS ATOMIQUES

PREAMBULE

Les Etats parties au Traité de l'Atlantique Nord, signé à Washington le 4 avril 1949,

Reconnaissant que leur sécurité et leur défense mutuelles exigent qu'ils soient prêts à faire face aux conditions de la guerre atomique,

Reconnaissant qu'il est de leur intérêt commun que des renseignements s'y rapportant soient mis à la disposition de l'Organisation du Traité de l'Atlantique Nord et des Etats membres de cette Organisation, et

Considérant la Loi américaine de 1954 sur l'Energie atomique, dans sa rédaction actuelle, qui a été élaborée à cette fin,

Agissant tant en leur nom qu'au nom de l'Organisation du Traité de l'Atlantique Nord,

Sont convenus de ce qui suit :

ARTICLE PREMIER

En application des dispositions de la Loi américaine de 1954 sur l'Energie atomique dans sa rédaction actuelle, le Gouvernement des Etats-Unis d'Amérique, dans les conditions fixées par ladite Loi, coopérera en mettant périodiquement, d'une part, à la disposition de l'Organisation du Traité de l'Atlantique Nord, aussi longtemps que cette Organisation apportera des contributions substantielles et matérielles à la défense et à la sécurité mutuelles, et d'autre part, à la disposition des Etats membres de cette Organisation, aussi longtemps que ces Etats continueront à effectuer de telles contributions, des renseignements atomiques conformes aux dispositions du présent accord, pour autant que le Gouvernement des Etats-Unis d'Amérique juge qu'une telle coopération peut améliorer sa défense et sa sécurité sans constituer un risque excessif pour celles-ci.

AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

PREAMBLE

The Parties to the North Atlantic Treaty, signed at Washington on 4th April, 1949,

Recognising that their mutual security and defence requires that they be prepared to meet the contingencies of atomic warfare, and

Recognising that their common interest will be advanced by making available to the North Atlantic Treaty Organization and its member states information pertinent thereto, and

Taking into consideration the United States Atomic Energy Act of 1954, as amended, which was prepared with these purposes in mind,

Acting on their own behalf and on behalf of the North Atlantic Treaty Organization,

Agree as follows

ARTICLE I

In accordance with and subject to the requirements of the United States Atomic Energy Act of 1954, as amended, the Government of the United States of America will, while the North Atlantic Treaty Organization continues to make substantial and material contributions to the mutual defence and security, co-operate by communicating, from time to time, to the North Atlantic Treaty Organization and its member states, while they continue to make such contributions, atomic information in accordance with the provisions of this Agreement, provided that the Government of the United States of America determines that such co-operation will promote and will not constitute an unreasonable risk to its defence and security

ARTICLE II

Parallèlement aux engagements pris par le Gouvernement des Etats-Unis d'Amérique en vertu du présent Accord, les autres Etats membres de l'Organisation du Traité de l'Atlantique Nord, dans la mesure où ils le jugeront nécessaire, communiqueront à l'Organisation du Traité de l'Atlantique Nord, y compris ses éléments civils et militaires, et aux Etats membres de cette Organisation, des renseignements atomiques du type prévu dans le présent Accord dont ils disposent en propre. Les conditions et les modalités régissant ces communications de la part de ces autres Etats membres seront l'objet d'accords ultérieurs, mais elles seront identiques ou similaires aux conditions et modalités précisées dans le présent Accord.

ARTICLE III

Le Gouvernement des Etats-Unis d'Amérique communiquera à l'Organisation du Traité de l'Atlantique Nord, y compris ses éléments civils et militaires, et aux Etats membres de cette Organisation qui ont besoin de renseignements atomiques pour jouer le rôle qui leur incombe dans le cadre des missions qui leur sont confiées par l'Organisation du Traité de l'Atlantique Nord, tout renseignement atomique que le Gouvernement des Etats-Unis d'Amérique jugera nécessaire :

(a) au développement des plans de défense ;

(b) à l'instruction du personnel à l'emploi des armes atomiques, à la défense contre ces armes, ainsi qu'aux autres applications militaires de l'énergie atomique ;

(c) à l'évaluation des possibilités d'ennemis éventuels en ce qui concerne l'emploi des armes atomiques et les autres applications militaires de l'énergie atomique ;

(d) à la mise au point de systèmes d'acheminement adaptés aux armes atomiques que ces systèmes transportent.

ARTICLE II

Paralleling the undertaking of the Government of the United States of America under this Agreement, the other member states of the North Atlantic Treaty Organization will, to the extent they deem necessary, communicate to the North Atlantic Treaty Organization, including its military and civilian elements, and to member states atomic information of their own origin of the same types provided for in this Agreement. The terms and conditions governing these communications by other member states will be the subject of subsequent agreements, but will be the same or similar to the terms and conditions specified in this Agreement.

ARTICLE III

The Government of the United States of America will communicate to the North Atlantic Treaty Organization, including its military and civilian elements, and to member states of the North Atlantic Treaty Organization requiring the atomic information in connection with their functions related to NATO missions, such atomic information as is determined by the Government of the United States of America to be necessary to :

(a) the development of defence plans ;

(b) the training of personnel in the employment of and defence against atomic weapons and other military applications of atomic energy;

(c) the evaluation of the capabilities of potential enemies in the employment of atomic weapons and other military applications of atomic energy; and

(d) the development of delivery systems compatible with the atomic weapons which they carry.

ARTICLE IV

1. La coopération prévue par le présent Accord sera mise en oeuvre par le Gouvernement des Etats-Unis d'Amérique conformément aux lois américaines applicables en la matière.

2. En vertu du présent Accord, il ne sera procédé à aucun transfert par le Gouvernement des Etats-Unis d'Amérique d'armes atomiques, de parties non-nucléaires d'armes atomiques ni de parties non-nucléaires de systèmes d'armes atomiques impliquant l'utilisation de renseignements classifiés "données réservées".

3 Les renseignements atomiques communiqués par le Gouvernement des Etats-Unis d'Amérique conformément au présent Accord seront utilisés exclusivement pour la préparation ou la mise en oeuvre des plans et des activités de défense de l'Organisation du Traité de l'Atlantique Nord, et pour la mise au point de systèmes d'acheminement dans l'intérêt commun de l'Organisation du Traité de l'Atlantique Nord.

ARTICLE V

1. Les renseignements atomiques communiqués en application du présent Accord seront soumis à toutes les règles de sécurité prévues par les règlements et procédures de sécurité de l'Organisation du Traité de l'Atlantique Nord, les arrangements relatifs à la sécurité sur lesquels un accord est intervenu, ainsi que les législations et les réglementations nationales. En aucun cas, l'Organisation du Traité de l'Atlantique Nord ou les Etats membres de cette Organisation, détenteurs de ces renseignements, ne leur appliqueront des normes de sécurité inférieures à celles qui sont prévues par les accords et règlements de sécurité de l'Organisation du Traité de l'Atlantique Nord et par les arrangements de sécurité en vigueur à la date où le présent Accord entrera en application

2. L'établissement et la coordination du programme de sécurité dans tous les éléments civils et militaires de l'Organisation du Traité de l'Atlantique Nord s'effectuera sous l'autorité du Conseil de l'Atlantique Nord, selon les procédures prévues dans les arrangements relatifs à la sécurité sur lesquels un accord est intervenu.

ARTICLE IV

1. Co-operation under this Agreement will be carried out by the Government of the United States of America in accordance with its applicable laws.

2. Under this Agreement there will be no transfer by the Government of the United States of America of atomic weapons, non-nuclear parts of atomic weapons, or non-nuclear parts of atomic weapons systems involving Restricted Data.

3 The atomic information communicated by the Government of the United States of America pursuant to this Agreement shall be used exclusively for the preparation or implementation of NATO defence plans and activities and the development of delivery systems in the common interests of the North Atlantic Treaty Organization.

ARTICLE V

1. Atomic information communicated pursuant to this Agreement shall be accorded full security protection under applicable NATO regulations and procedures, agreed security arrangements, and national legislation and regulations. In no case will the North Atlantic Treaty Organization or its member states maintain security standards for the safeguarding of atomic information less restrictive than those set forth in the pertinent NATO security regulations and other agreed security arrangements in effect on the date this Agreement comes into force.

2. The establishment and co-ordination of the security programme in all NATO military and civilian elements will be effected under the authority of the North Atlantic Council in conformity with procedures set forth in agreed security arrangements.

3. Les renseignements atomiques communiqués par le Gouvernement des Etats-Unis d'Amérique en application du présent Accord seront transmis par les voies utilisées actuellement pour la communication des renseignements atomiques ou par celles qui pourront être adoptées à une date ultérieure.

4. Les renseignements atomiques communiqués ou échangés en application du présent Accord ne pourront être communiqués par l'Organisation du Traité de l'Atlantique Nord ou par des personnes relevant de sa juridiction, ni à des personnes non autorisées, ni, sauf dans les conditions fixées au paragraphe 5 du présent article, à des personnes ne relevant pas de la juridiction de cette Organisation.

5. Sauf indication contraire expresse du Gouvernement des Etats-Unis d'Amérique, les renseignements atomiques d'origine américaine fournis à l'Organisation du Traité de l'Atlantique Nord pourront être transmis par cette Organisation à ses Etats membres dans la mesure où ces renseignements leur seront nécessaires pour jouer le rôle qui leur incombe dans le cadre des missions qui leur sont confiées par l'Organisation du Traité de l'Atlantique Nord, à condition que la diffusion de ces renseignements atomiques à l'intérieur des Etats membres soit restreinte aux personnes expressément intéressées aux missions de l'Organisation du Traité de l'Atlantique Nord auxquelles la connaissance de ces renseignements est indispensable. Les Etats membres conviennent que les renseignements atomiques ainsi communiqués par l'Organisation du Traité de l'Atlantique Nord ou d'une autre manière, en application du présent Accord, ne seront transmis ni à des personnes non autorisées ni hors du domaine où s'exerce l'autorité de l'Etat bénéficiaire; cependant, ces renseignements pourront être transmis à l'Organisation du Traité de l'Atlantique Nord ou, avec l'autorisation du Gouvernement des Etats-Unis d'Amérique, à d'autres Etats membres qui ont besoin d'en connaître pour remplir le rôle qui leur incombe dans le cadre des missions qui leur sont confiées par l'Organisation du Traité de l'Atlantique Nord.

3. Atomic information communicated by the Government of the United States of America pursuant to this Agreement will be made available through channels for communicating atomic information now existing or as may be hereafter agreed.

4. Atomic information communicated or exchanged pursuant to this Agreement shall not be communicated or exchanged by the North Atlantic Treaty Organization or persons under its jurisdiction to any unauthorized persons or, except as provided in paragraph 5 of this article, beyond the jurisdiction of that Organization.

5. Unless otherwise specified by the Government of the United States of America, United States atomic information provided to the North Atlantic Treaty Organization may be communicated by the North Atlantic Treaty Organization to its member states as necessary to carry out functions related to NATO missions, provided that dissemination of such atomic information within such member states is limited to those specific individuals concerned with the NATO missions for which the information is required. Member states agree that atomic information so received from the North Atlantic Treaty Organization or otherwise pursuant to this Agreement will not be transferred to unauthorised persons or beyond the jurisdiction of the recipient member state; however, such information may be communicated to the North Atlantic Treaty Organization or, when authorised by the Government of the United States of America, to other member states requiring the information for functions related to NATO missions.

ARTICLE VI

Nonobstant toute autre disposition du présent Accord, le Gouvernement des Etats-Unis d'Amérique pourra stipuler dans quelle mesure l'un quelconque des renseignements atomiques qu'il aura fournis à l'Organisation du Traité de l'Atlantique Nord ou à des Etats membres de cette Organisation pourra être communiqué; il pourra également spécifier les catégories de personnes qui pourront avoir accès à ces renseignements et imposer telles autres restrictions qu'il jugera nécessaire en ce qui concerne la diffusion de ces renseignements.

ARTICLE VII

1. Une Partie qui reçoit des renseignements atomiques en vertu du présent Accord les utilisera uniquement aux fins spécifiées dans cet Accord. Toute invention ou découverte résultant de la possession de tels renseignements et faite par une Partie bénéficiaire ou par des personnes qui relèvent de sa juridiction, sera mise, sans redevance, à des fins de défense, à la disposition du Gouvernement des Etats-Unis d'Amérique conformément aux arrangements qui pourraient être adoptés d'un commun accord, et sera protégée dans les conditions fixées par l'Article V du présent Accord.

2. La responsabilité de l'exploitation ou de l'utilisation de tout renseignement communiqué en vertu du présent Accord incombera à la Partie destinataire, la Partie ayant communiqué ces renseignements n'aura à fournir aucune indemnité ou garantie concernant cette exploitation ou cette utilisation.

ARTICLE VIII

Aucune disposition du présent Accord ne devra être interprétée comme remplaçant ou affectant d'une manière quelconque les accords bilatéraux sur la coopération en matière d'échange de renseignements atomiques conclus entre les Parties au présent Accord.

ARTICLE VI

Other provisions of this Agreement notwithstanding, the Government of the United States of America may stipulate the degree to which any of the atomic information made available by it to the North Atlantic Treaty Organization or member states may be disseminated, may specify the categories of persons who may have access to such information, and may impose such other restrictions on the dissemination of information as it deems necessary.

ARTICLE VII

1. A Party receiving atomic information under this Agreement shall use it for the purposes specified herein only. Any inventions or discoveries resulting from possession of such information on the part of a recipient Party or persons under its jurisdiction shall be made available to the Government of the United States of America for defence purposes without charge in accordance with such arrangements as may be agreed and shall be safeguarded in accordance with the provisions of Article V of this Agreement.

2. The application or use of any information communicated under this Agreement shall be the responsibility of the Party receiving it, the Party communicating the information does not provide any indemnity or warranty with respect to its application or use.

ARTICLE VIII

Nothing in this Agreement shall be considered to supersede or otherwise affect bilateral agreements between Parties to this Agreement providing for co-operation in the exchange of atomic information.

ARTICLE IX

Au sens du présent Accord :

(a) Les termes "armes atomiques" signifient tout appareil utilisant l'énergie atomique, à l'exclusion des moyens utilisés pour transporter ou propulser ledit appareil (lorsqu'un tel moyen constitue une partie séparable et divisible de l'appareil), dont le but principal est d'être utilisé ou développé comme une arme, un prototype d'arme ou appareil d'essai d'une arme.

(b) Les termes "renseignements atomiques", s'agissant des renseignements fournis par le Gouvernement des Etats-Unis d'Amérique en vertu du présent Accord, désignent les renseignements classifiés par le Gouvernement des Etats-Unis d'Amérique "données réservées" ou "données antérieurement réservées".

ARTICLE X

1. Le présent Accord entrera en vigueur dès que le Gouvernement des Etats-Unis d'Amérique aura reçu notification de tous les Etats parties au Traité de l'Atlantique Nord que ces derniers sont en mesure de mettre en application les dispositions du présent Accord.

2. Le Gouvernement des Etats-Unis d'Amérique informera tous les Etats parties au Traité de l'Atlantique Nord et l'Organisation du Traité de l'Atlantique Nord de chaque notification reçue et de l'entrée en vigueur du présent Accord.

3 Le présent Accord restera en vigueur tant qu'il n'y aura pas été mis fin par accord unanime ou qu'il n'aura pas été remplacé par un autre accord, étant entendu toutefois que s'il est mis fin au présent Accord dans son ensemble, aucune des Parties ne sera délivée des engagements souscrits en vertu du présent Accord en vue de sauvegarder les renseignements qui lui auront été communiqués en application de celui-ci.

ARTICLE IX

For the purposes of this Agreement :

(a) "Atomic weapon" means any device utilising atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device

(b) "Atomic information" to be provided by the Government of the United States of America under this Agreement means information which is designated "Restricted Data" or "Formerly Restricted Data" by the Government of the United States of America.

ARTICLE X

1. This Agreement shall enter into force upon receipt by the Government of the United States of America of notification from all Parties to the North Atlantic Treaty that they are willing to be bound by the terms of the Agreement.

2. The Government of the United States of America will inform all Parties to the North Atlantic Treaty, and will also inform the North Atlantic Treaty Organization, of each notification and of the entry into force of this Agreement.

3. This Agreement shall remain in force until terminated by unanimous agreement or superseded by another agreement, it being understood, however, that termination of this Agreement as a whole shall not release any Party from the requirements of this Agreement to safeguard information made available pursuant to it.

ARTICLE XI

Nonobstant les dispositions de l'Article VI (4) de l'Accord entre les Etats parties au Traité de l'Atlantique Nord sur la coopération dans le domaine des renseignements atomiques signé à Paris le 22 juin 1955, le présent Accord, dès son entrée en vigueur, remplacera l'Accord susmentionné. Il est toutefois entendu que les renseignements transmis aux termes de ce dernier Accord seront considérés à tous égards comme ayant été communiqués en vertu des dispositions du présent Accord.

ARTICLE XII

Le présent Accord porte la date à laquelle il a été ouvert à la signature des Parties et, jusqu'à ce qu'il ait été signé par tous les Etats parties au Traité de l'Atlantique Nord, demeurera ouvert à leur signature.

En foi de quoi, les Représentants soussignés des Etats membres de l'Organisation du Traité de l'Atlantique Nord ont signé le présent Accord tant au nom de leurs Etats respectifs qu'au nom de l'Organisation.

ARTICLE XI

Notwithstanding the provisions of Article VI(4) of the Agreement between the Parties to the North Atlantic Treaty for Co-operation regarding Atomic Information, signed in Paris on 22nd June, 1955, the present Agreement shall upon its entry into force supersede the above-mentioned Agreement, it being understood, however, that information communicated under that Agreement shall be considered for all purposes to have been communicated under the provisions of this Agreement.

ARTICLE XII

This Agreement shall bear the date on which it is opened for signature and shall remain open for signature until it has been signed by all the States Parties to the North Atlantic Treaty

In witness whereof the undersigned Representatives have signed the present Agreement on behalf of their respective States, members of the North Atlantic Treaty Organisation, and on behalf of the North Atlantic Treaty Organisation.

Fait à Paris, le 18 juin 1964, en anglais et en français, les deux textes faisant également foi, en un exemplaire unique qui restera déposé dans les archives du Gouvernement des Etats-Unis d'Amérique. Le Gouvernement des Etats-Unis d'Amérique en transmettra des copies certifiées conformes à tous les gouvernements signataires et accédants.

Done at Paris this 18th day of June 1964, in the English and French languages, both texts being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the signatory and acceding States.

Pour le Royaume de Belgique : 18 juin 1964

For the Kingdom of Belgium :

Pour le Canada : 30 Juin 1964

For Canada :

Pour le Royaume de Danemark : 25 juin 1964

For the Kingdom of Denmark :

Pour la France: 18 juin 1964.

For France :

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For the Federal Republic of Germany :

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Pour le Portugal : 9 juillet 1964
For Portugal :

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For the United Kingdom of Great Britain and Northern Ireland :

Pour les Etats-Unis d'Amérique :
For the United States of America :

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Pour la République slovaque
For the Slovak Republic

March 2nd 2005

Pour la République de Slovénie:
For the Republic of Slovenia

September 20, 2006

[Declassified by North Atlantic Council on May 10, 2000.]

SECRET TECHNICAL ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

The provisions of this Annex implement certain of the provisions of the Agreement for Co-operation Regarding Atomic Information done at Paris on 18-19 June, 1954 (hereinafter referred to as the Agreement) of which this Annex forms an integral part.

SECTION I

Subject to the terms and conditions of the Agreement, the types of atomic information which the Government of the United States of America may make available to the North Atlantic Treaty Organization and its member states are :

A. As may be necessary for mutual defence planning, training, and logistical requirements, information concerning the numbers, locations, types, yields, arming, safing, command and control, and fuzing of those atomic weapons which can be made available for use by or in support of the North Atlantic Treaty Organization.

B. Effects to be expected or resulting from the detonation of atomic weapons.

C. Response of structures, equipment, communications and personnel to the effects of atomic weapons, including damage or casualty criteria.

D. Methods and procedures for analyses relating to the effects of atomic weapons.

E. Information on the capabilities of potential enemy nations for atomic warfare.

[Declassified by North Atlantic Council on May 10, 2000.]

SECRET TECHNICAL ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

F. Information on atomic weapons and atomic weapons systems required for attainment of delivery capability with specified atomic weapons which can be made available for use by or in support of the North Atlantic Treaty Organization, including information required for evaluation of atomic weapons systems to determine NATO requirements and strategy.

G. Information regarding delivery systems, including tactics and techniques and duties of maintenance, assembly, delivery and launch crews required for attainment of delivery capability with specified atomic weapons.

H. To the extent that they will influence NATO planning, the results to be expected from the strategic air offensive.

I. Information required for attainment of compatibility of specified atomic weapons with specified delivery vehicles.

J. Safety features of specified atomic weapons and of the operational systems associated with such weapons and information necessary and appropriate for salvage and recovery operations incident to a weapons accident.

K. Information required in planning for and training of personnel in the employment of and defence against atomic weapons and including information concerning :

(1) Military uses of isotopes for medical purposes.

(2) Defence against radiological warfare.

L. Information regarding civil defence against atomic attacks.

[Declassified by North Atlantic Council on May 10, 2000.]

SECRET TECHNICAL ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

M. Other information as may be determined by appropriate United States Authorities to be necessary for support of the North Atlantic Treaty Organization and transferable under provisions of the Atomic Energy Act of 1954, as amended, and the Agreement.

SECTION II

No information on other military applications of atomic energy, military reactors, or naval nuclear propulsion plants, will be communicated under the Agreement.

[Declassified by North Atlantic Council on May 10, 2000.]

ANNEXE SECRETE TECHNIQUE A L'ACCORD ENTRE LES ETATS PARTIES AU TRAITE DE L'ATLANTIQUE NORD SUR LA COOPERATION DANS LE DOMAINE DES RENSEIGNEMENTS ATOMIQUES

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Pour le Canada : 30 Juin 1964

For Canada :

Pour le Royaume de Danemark : 25 juin 1964

For the Kingdom of Denmark :

Pour la France : 18 juin 1964.

For France :

Pour la République Fédérale d'Allemagne : 18 Juin 1964

For the Federal Republic of Germany :

Pour le Royaume de Grèce : 18 Juin 1964

For the Kingdom of Greece :

[Declassified by North Atlantic Council on May 10, 2000.]

ANNEXE SECRETE TECHNIQUE A L'ACCORD ENTRE LES ETATS PARTIES AU TRAITE DE L'ATLANTIQUE NORD SUR LA COOPERATION DANS LE DOMAINE DES RENSEIGNEMENTS ATOMIQUES

SECRET TECHNICAL ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

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For Iceland :

Pour l'Italie : 22 Giugno 1964
For Italy :

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For the Grand Duchy of Luxembourg :

Pour le Royaume des Pays-Bas : 18 juni 1964
For the Kingdom of the Netherlands :

Pour le Royaume de Norvège : 24th July 1964
For the Kingdom of Norway :

Pour le Portugal : le 7 Juillet 1964
For Portugal :

Pour la Turquie : le 18 Juin 1964
For Turkey :

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord : 18th June, 1964
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Pour les Etats-Unis d'Amérique :
For the United States of America :
June 18, 1964

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For the Slovak Republic

March 2nd 2005

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September 20, 2006

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

This Annex sets forth the security measures which the North Atlantic Treaty Organization and the member states shall apply to safeguard atomic information made available by the Government of the United States of America to the North Atlantic Treaty Organization and its member states pursuant to the Agreement for Co-operation Regarding Atomic Information done at Paris on 18 June, 1964 (referred to hereinafter as "the Agreement") of which this Annex is an integral part. In the event a member of the North Atlantic Treaty Organization other than the Government of the United States of America makes atomic information available pursuant to Article II of the Agreement, such information shall be safeguarded by security measures no less restrictive than those set forth in this Annex.

SECTION I

GENERAL

A. NATO security regulations, no less restrictive than those which are presently set forth in C-M(55)15(Final) and the Confidential Supplement of 1st January, 1961, thereto, as well as the security measures specified in this Annex, shall be applied by NATO military and civilian elements and by member states to atomic information communicated pursuant to the Agreement.

B. The security programme as implemented by all NATO military and civilian elements and by member states receiving atomic information pursuant to the Agreement shall provide fully for carrying out the security requirements laid down in this Annex.

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

C. The Secretary General, acting in the name of the North Atlantic Council and under its authority, shall be responsible for supervising the application of the NATO security programme for the protection of atomic information under the Agreement. He will ascertain by means of the procedures set forth in Section X of this Annex that all measures required by the NATO security programme are taken in NATO civil and military elements and national civil and military elements to protect the information exchanged under the Agreement.

D. No individual shall be entitled to access to atomic information solely by virtue of rank, appointment, or security clearance.

E. Access to atomic information made available to the North Atlantic Treaty Organization shall be limited to nationals of member states of the North Atlantic Treaty Organization who have been granted security clearances in accordance with Section II of this Annex and whose responsibilities require access to the information.

F. Access to atomic information made available to a member state pursuant to the Agreement shall be limited to its nationals who have been granted security clearances in accordance with Section II of this Annex and whose duties require access in order that the member state can fulfill its responsibilities and commitments to the North Atlantic Treaty Organization.

SECTION II

PERSONNEL SECURITY

A. No individual shall be granted a security clearance for access to atomic information unless it is determined that such clearance will not endanger the security of the North Atlantic Treaty Organization or the national security of the member states of the North Atlantic Treaty Organization.

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

B. Prior to affording access to atomic information, the determination of eligibility (decision to grant security clearance) for each individual to be afforded such access shall be made by a responsible authority of the government of the individual concerned.

C. The decision as to whether the granting of a security clearance is clearly consistent with the interests of security shall be a determination based on all available information. Prior to this determination, an investigation shall be conducted by a responsible government authority and the information developed shall be reviewed in the light of the principal types of derogatory information which create a question as to an individual's eligibility for security clearance, as these are set forth in Section III of the Confidential Supplement of 1st January, 1961, to C-M(55)15(Final).

D. The minimum scope and extent of the investigation shall be in accordance with the standards set out in Section II of the Confidential Supplement to C-M(55)15(Final), except that a background investigation shall be required for clearance for access to atomic information classified Secret for individuals other than members of the armed forces or civilian personnel of the military establishments of the member states.

E. Each establishment handling atomic information shall maintain an appropriate record of the clearance of individuals authorised to have access to such information at that establishment. Each clearance shall be reviewed, as the occasion demands, to insure that it conforms with the current standards applicable to the individual's employment; and shall be re-examined as a matter of priority when information is received which indicates that continued employment involving access to atomic information may no longer be consistent with the interests of security.

F. Effective liaison shall be maintained in each state between the national agencies responsible for national security and the authority responsible for making clearance determinations to assure prompt notification of information with derogatory implications developed subsequent to the grant of security clearance.

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

SECTION III

PHYSICAL SECURITY

A. Atomic information shall be protected physically against espionage, sabotage, unauthorised access or any other hostile activity. Such protection shall be commensurate with the importance of the security interest involved.

B. Programmes for physical security of atomic information shall be established so as to assure :

1. Proper protection of atomic information on hand for immediate use, in storage or in transit.

2. The establishment of security areas, with controlled access, when deemed necessary by reason of the sensitivity, character, volume and use of the classified atomic information, and the character and location of the building or buildings involved.

3. A system of controlled access which shall embody procedures for a competent authority to authorise access, accurate methods of personnel identification and accountability for identification media ; and a means of enforcing limitations on movement within, and access to, security areas.

C. The provisions of paragraph B above will be in addition to the procedures set forth in Section IV of C-M(55)15(Final).

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

SECTION IV

CONTROL OF ATOMIC INFORMATION

A. Information control programmes shall be maintained which will have for their basic purposes :

1. Control of access.

2. Ready accountability commensurate with the degree of sensitivity.

3. Destruction when no longer needed.

B. Security classifications applied by the Government of the United States of America to atomic information communicated under the Agreement shall be observed at all times ; regrading or declassification may be done only with the approval of the Government of the United States of America.

C. Documents containing United States atomic information communicated under the Agreement shall bear NATO markings and a security classification equivalent to that assigned by the Government of the United States of America, followed by the word ATOMAL. In addition, the following marking shall be entered on the document in the language of the document :

"This document contains United States atomic information (Restricted Data or Formerly Restricted Data) made available pursuant to the NATO Agreement for Co-operation Regarding Atomic Information dated 18th June, 1964 and will be safeguarded accordingly."

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

D. Accountability records shall be maintained for all Top Secret and Secret documents, and for all documents on which special limitations have been placed in accordance with Article VI of the Agreement. These records shall show the identity of all recipients of documents on which special limitations have been placed.

E. Reproductions, including extracts and translations, of documents containing United States atomic information bearing the markings specified in paragraph C above may be made under the following rules :

1. Documents classified Secret and Top Secret may be reproduced only with the prior approval of the Government of the United States of America. Such documents shall bear a suitable notation to this effect. In emergencies when prior approval cannot be obtained in time, this rule may be waived, but the Government of the United States of America shall be so informed by the most expeditious means.

2. Documents classified Confidential may be reproduced only as necessary to meet current requirements.

3. Reproductions, including extracts and translations, shall bear all security markings (including the marking described in paragraph C) found on the original document and shall be placed under the accountability controls applied to the original document. Where paragraphs bear separate classifications, the security classification of documents containing extracted atomic information shall bear the classification of the paragraph with the highest classification from which extracts were taken and where appropriate the marking specified in paragraph C. Accountability controls for extracted atomic information shall be as provided in paragraph D of this Section. Further, such special limitations as may have been placed on the original document shall apply to documents containing the extracts.

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

F. Documents prepared to record atomic information received under the Agreement by oral or visual means shall bear the markings specified in paragraph C above and shall be subject to the rules for accountability and control applicable to the level of classification involved.

SECTION V

CHANNELS OF TRANSMISSION

Communications by the Government of the United States of America of atomic information under the Agreement, including oral and visual communication, shall be through channels now existing or as may be hereafter agreed. To assist the Secretary General in the discharge of his security responsibilities under paragraph C of Section I of the present Annex, the Government of the United States of America shall provide the Secretary General with sufficient information to identify each written communication of atomic information by the Government of the United States of America and each communication authorised by the Government of the United States of America under the Agreement. This information will also be sent to the Standing Group for all communications made to military elements.

SECTION VI

REPORTS

A. Each member state and NATO military and civilian element which receives United States atomic information under the Agreement shall submit by 31st March of each year, utilising channels now existing or as may be hereafter agreed, through the Secretary General to the Government of the United States of America a report containing the following :

1. A list of all atomic documents received from the Government of the United States of America during the twelve months ending 31st December of the previous year.

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

2. A record of the distribution of the documents listed in paragraph 1 above, and

3. A certification that a physical muster has been made of all atomic documents for which the member state or NATO military or civilian element is accountable under the Agreement. The certification shall include a list of all documents unaccounted for, with a statement of the results of the investigation of the loss and the corrective action taken to prevent a recurrence.

B. If United States atomic information communicated under the Agreement is compromised by loss of documents or any other means, an immediate report including all pertinent information concerning the compromise shall be made, utilising channels now existing or as may be hereafter agreed, to the Secretary General and the Government of the United States of America.

SECTION VII

SECURITY EDUCATION

Member states and NATO military and civilian elements receiving information under the Agreement shall maintain an adequate programme to assure that all individuals who are authorised access to atomic information are informed of their responsibilities to safeguard that information. The programme shall include a specific initial indoctrination and orientation, periodic re-emphasis of individual responsibilities and a termination interview stressing the continuing responsibilities for protection of atomic information.

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

SECTION VIII

SECURITY OF CLASSIFIED CONTRACTS

Every classified contract, sub-contract, consultant agreement or other arrangement entered into by Parties to the Agreement, the performance of which involves access to atomic information exchanged under the Agreement, shall contain appropriate provisions imposing obligations on the private parties involved to abide by the security arrangements set forth in this Annex.

SECTION IX

CONTINUING REVIEW OF SECURITY SYSTEM

A. It is recognised that effective and prompt implementation of security policies can be materially advanced through reciprocal visits of security personnel. It is agreed to continue a thorough exchange of views relative to security policies, standards and procedures and to permit United States security working groups to examine and view at first hand the procedures and practices of the agencies of the North Atlantic Treaty Organization and of the agencies of member states responsible for the protection of documents and information communicated under the Agreement, such visits to be undertaken with a view to achieving an understanding of adequacy and reasonable comparability of the respective security systems.

B. The Secretary General, and the Standing Group in the case of visits to military elements, will be informed of these visits and reports setting forth pertinent findings of the United States working groups will be furnished to them following each visit. All visits to national elements will be carried out in co-operation with the national security authorities of the states concerned.

[Declassified by North Atlantic Council on March 6, 1998.]

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

SECTION X

SECURITY INSPECTIONS

A. Comprehensive security inspection of all NATO military and civilian elements and member nations which have received atomic information under the Agreement shall be made regularly, but not less often than once every twelve months, in accordance with the criteria set forth in Section I, paragraph A of this Annex. These inspections shall be made by the NATO agencies having responsibility for the application of the NATO security programme, using qualified personnel. The Council may, as it considers necessary or desirable, direct special inspections to be made and designate ad hoc inspection teams composed of personnel from NATO civilian and military agencies or other qualified personnel. Visits to military and civilian elements of member states will be co-ordinated with the appropriate national authorities.

B. All phases of the security programme shall be examined and within thirty days after the completion of the inspection a written report that shall include a list of any deficiencies found in the application of the security regulations will be sent to the Secretary General.

C. Copies of these inspection reports shall be made available by the Secretary General to the United States pursuant to the Agreement and, consistent with other provisions thereof and as may be appropriate, to the installation inspected, the national security authority concerned, and the military headquarters.

D. Within thirty days after receipt of the inspection report, the appropriate authorities of the NATO or national element inspected shall forward to the Secretary General a report of action taken to correct all deficiencies listed in the inspection report. After reviewing the inspection reports and the reports of corrective action taken, the Secretary General, acting on behalf of the Council, shall, as appropriate, draw

[Declassified by North Atlantic Council on March 6, 1998.]

the attention of the national authorities, the Standing Group or the civilian element concerned to whatever further action may be required to meet NATO security criteria and the provisions of this Agreement. Copies of the reports of corrective action as well as copies of any comments forthcoming from the Secretary General in accordance with this paragraph shall be distributed in the same manner as provided in paragraph C of this Section for the inspection reports.

E. In the event that a problem regarding corrective action arising from a security inspection remains unresolved after the application of procedures set forth in paragraph D of this Section, the Secretary General shall bring the matter to the attention of the Council with a recommendation that an ad hoc inspection team be designated to investigate the problem and report to the Council, which will thereupon take appropriate action.

[Declassified by North Atlantic Council on March 6, 1998.]

ANNEXE DE SECURITE CONFIDENTIELLE A L'ACCORD ENTRE LES ETATS PARTIES AU TRAITE DE L'ATLANTIQUE NORD SUR LA COOPERATION DANS LE DOMAINE DES RENSEIGNEMENTS ATOMIQUES

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT BETWEEN THE PARTIES TO THE NORTH ATLANTIC TREATY FOR CO-OPERATION REGARDING ATOMIC INFORMATION

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For France :

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For the Federal Republic of Germany :

Pour le Royaume de Grèce : 18 Juin 1964

For the Kingdom of Greece :

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For Iceland :

Pour l'Italie : 22 Juin 1964

For Italy :

[Declassified by North Atlantic Council on March 6, 1998.]

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For Turkey :

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June 18, 1964

Pour l'Espagne:

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For the Czech Republic: 5 November, 1999

Pour la République de Hongrie:

For the Republic of Hungary: December 10, 1999

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For the Republic of Poland: Przemysław Grudziński
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Pour la République de Bulgarie:

For the Republic of Bulgaria

August 4, 2005

Pour la République d'Estonie

For the Republic of Estonia

Sept 1. 2005

Pour la République de Lettonie:

For the Republic of Latvia

24 sept., 2004

Pour la République de Lituanie:

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Pour la Roumanie

For Romania

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For the Slovak Republic

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September 20, 2006

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