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Zagreb, 19. studenoga 2010.

PREDSJEDNIKU HRVATSKOGA SABORA

Predmet: Prijedlog zakona o potvrđivanju Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, s Konačnim prijedlogom zakona

Na temelju članka 84. Ustava Republike Hrvatske (Narodne novine, br. 56/90, 135/97, 8/98 – pročišćeni tekst, 113/2000, 124/2000 – pročišćeni tekst, 28/2001, 41/2001 – pročišćeni tekst, 55/2001 – ispravak, 76/2010 i 85/2010 – pročišćeni tekst) i članaka 129. i 159. Poslovnika Hrvatskoga sabora (Narodne novine, br. 71/2000, 129/2000, 117/2001, 6/2002 – pročišćeni tekst, 41/2002, 91/2003, 58/2004, 69/2007, 39/2008 i 86/2008), Vlada Republike Hrvatske podnosi Prijedlog zakona o potvrđivanju Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, s Konačnim prijedlogom zakona za hitni postupak

Uz Prijedlog zakona, Vlada Republike Hrvatske dostavlja i Prethodno mišljenje Predsjednika Republike Hrvatske i Vrhovnog zapovjednika Oružanih snaga Republike Hrvatske, sukladno članku 7. stavku 2. točki 25. Zakona o obrani (Narodne novine, br. 33/2002, 58/2002, 76/2007 i 153/2009).

Za svoje predstavnike, koji će u njezino ime sudjelovati u radu Hrvatskoga sabora i njegovih radnih tijela, Vlada je odredila Branka Vukelića, ministra obrane, te Matu Rabotega, Željka Goršića i Pjera Šimunovića, državne tajnike u Ministarstvu obrane.

Priloga: 2

PREDSJEDNICA

Jadranka Kosor, dipl. iur.

**PRIJEDLOG ZAKONA O POTVRĐIVANJU SPORAZUMA IZMEĐU STRANAKA
SJEVERNOATLANTSKOG UGOVORA O SURADNJI VEZANO UZ
ATOMSKE PODATKE S TAJNIM TEHNIČKIM DODATKOM SPORAZUMU
IZMEĐU STRANAKA SJEVERNOATLANTSKOG UGOVORA O SURADNJI
VEZANO UZ ATOMSKE PODATKE I POVJERLJIVIM SIGURNOSNIM
DODATKOM SPORAZUMU IZMEĐU STRANAKA SJEVERNOATLANTSKOG
UGOVORA O SURADNJI VEZANO UZ ATOMSKE PODATKE,
S KONAČNIM PRIJEDLOGOM ZAKONA**

**PRIJEDLOG ZAKONA O POTVRĐIVANJU SPORAZUMA IZMEĐU STRANAKA
SJEVERNOATLANTSKOG UGOVORA O SURADNJI VEZANO UZ ATOMSKE
PODATKE S TAJNIM TEHNIČKIM DODATKOM SPORAZUMU IZMEĐU
STRANAKA SJEVERNOATLANTSKOG UGOVORA O SURADNJI VEZANO
UZ ATOMSKE PODATKE I POVJERLJIVIM SIGURNOSNIM DODATKOM
SPORAZUMU IZMEĐU STRANAKA SJEVERNOATLANTSKOG UGOVORA
O SURADNJI VEZANO UZ ATOMSKE PODATKE**

I. USTAVNA OSNOVA

Ustavna osnova za donošenje Zakona o potvrđivanju Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, sadržana je u članku 139. stavku 1. Ustava Republike Hrvatske (Narodne novine, br. 56/90, 135/97, 8/98 - pročišćeni tekst, 113/2000, 124/2000 - pročišćeni tekst, 28/2001, 41/2001 - pročišćeni tekst, 55/2001 - ispravak, 76/2010 i 85/2010 - pročišćeni tekst).

**II. OCJENA STANJA I CILJ KOJI SE DONOŠENJEM ZAKONA ŽELI
POSTIĆI**

Članstvo Republike Hrvatske u Organizaciji Sjevernoatlantskog ugovora (NATO-u) bilo je njezin vanjskopolitički i sigurnosni prioritet koji je ostvaren pristupanjem Sjevernoatlantskom ugovoru. Polaganjem isprave o pristupu Sjevernoatlantskom ugovoru 1. travnja 2009. Republika Hrvatska je postala punopravnom članicom NATO-a te se od nje očekuje da postane strankom određenih međunarodnih ugovora koji čine pravnu stečevinu NATO-a, a za koje je potrebno provođenje unutarnjih pravnih postupaka u idućem razdoblju.

Na temelju ovlaštenja za potpisivanje kojeg je Vlada Republike Hrvatske utvrdila Odlukom o pokretanju postupka za sklapanje Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, navedeni Sporazum i dodatke 16. travnja 2010. potpisala je izvanredna i opunomoćena veleposlanica Republike Hrvatske u Sjedinjenim Američkim Državama, mr. sc. Kolinda Grabar-Kitarović.

Potvrđivanjem Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, Republika Hrvatska će ispuniti unutarnje pravne uvjete za primjenu njegovih odredbi koje uređuju priopćavanje atomskih podataka između vlada stranaka i tijela NATO-a. Ovime će se stvoriti pravni okvir za interoperabilnost s ministarstvima obrane i oružanim snagama ostalih država članica NATO-a na ovom pravnom području.

III. OSNOVNA PITANJA KOJA SE PREDLAŽU UREDITI ZAKONOM

Ovim Zakonom potvrđuje se Sporazum između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke kako bi njegove odredbe, u smislu članka 140. Ustava Republike Hrvatske postale dio unutarnjeg pravnog poretka Republike Hrvatske.

Sporazumom se uređuje suradnja vezana uz atomske podatke u skladu i prema zahtjevima Zakona o atomskoj energiji Sjedinjenih Država iz 1954. godine.

Pod uvjetom da Vlada Sjedinjenih Američkih Država utvrdi da će se suradnja vezana uz atomske podatke promicati i da neće predstavljati nerazuman rizik za njezinu obranu i sigurnost i dok Organizacija Sjevernoatlantskog ugovora nastavlja značajno i materijalno pridonositi uzajamnoj obrani i sigurnosti, Vlada Sjedinjenih Američkih Država priopćavat će Organizaciji Sjevernoatlantskog ugovora i njezinim državama članicama atomske podatke.

Istovremeno, druge države članice Organizacije Sjevernoatlantskog ugovora, do mjere koju smatraju potrebnom priopćavaju Organizaciji Sjevernoatlantskog ugovora, uključujući njezinim vojnim i civilnim elementima, i državama članicama atomske podatke koje one stvaraju i koji su istovrsni onima koje predviđa Sporazum.

Vlada Sjedinjenih Američkih Država priopćava Organizaciji Sjevernoatlantskog ugovora, uključujući njezinim vojnim i civilnim elementima, i državama članicama Organizacije Sjevernoatlantskog saveza koje trebaju atomske podatke u svezi s njihovim djelovanjem vezanim uz NATO zadaće i to one atomske podatke koje je Vlada Sjedinjenih Američkih Država utvrdila nužnima za razvoj obrambenih planova; obuku osoblja o upotrebi i obrani od atomskog oružja i drugim vojnim primjenama atomske energije; ocjenu sposobnosti mogućih neprijatelja u upotrebi atomskog oružja i drugim vojnim primjenama atomske energije te razvoj prijenosnih sustava kompatibilnih s atomskim oružjem koje nose.

U tom smislu Sporazum između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu i Povjerljivim sigurnosnim dodatkom Sporazumu predstavlja nužni pravni okvir za nesmetano obavljanje zadaća Organizacije Sjevernoatlantskog ugovora i njezinih država članica u svezi s njihovim djelovanjem vezanim uz NATO zadaće.

IV. OCJENA SREDSTAVA POTREBNIH ZA PROVEDBU ZAKONA

Za provedbu ovoga Zakona nije potrebno osigurati dodatna financijska sredstva iz državnog proračuna Republike Hrvatske budući da će se odvijati kroz aktivnosti Ministarstva obrane te će se koristiti sredstva iz državnog proračuna Republike Hrvatske namijenjena radu Ministarstva obrane i Oružanih snaga Republike Hrvatske.

V. PRIJEDLOG ZA DONOŠENJE ZAKONA PO HITNOM POSTUPKU

Temelj za donošenje ovoga Zakona po hitnom postupku nalazi se u članku 159. stavku 1. Poslovnika Hrvatskoga sabora (Narodne novine, br. 71/2000, 129/2000, 117/2001, 6/2002 - pročišćeni tekst, 41/2002, 91/2003, 58/2004, 39/2008 i 86/2008) i to u drugim osobito opravdanim državnim razlozima. Imajući u vidu da je Republika Hrvatska postala punopravna članica NATO-a potrebno je u najskorije vrijeme provesti postupak potvrđivanja Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke kako bi stupio na snagu u najkraćem mogućem roku. Njegovim stupanjem na snagu uspostavlja se pravni okvir kojim se uređuje priopćavanje atomskih podataka između vlada stranaka i tijela NATO-a radi razvoja obrambenih planova, obuke osoblja o upotrebi i obrani od atomskog oružja, ocjene sposobnosti mogućih neprijatelja u upotrebi atomskog oružja, razvoja prijenosnih sustava za prijenos atomskog oružja, što je važan temelj za nastavak međunarodne obrambene suradnje Republike Hrvatske u novom statusu.

S obzirom na prirodu postupka potvrđivanja međunarodnih ugovora, kojim država i formalno izražava spremnost da bude vezana već sklopljenim međunarodnim ugovorom, kao i na činjenicu da se u ovoj fazi postupka ne mogu vršiti izmjene ili dopune teksta međunarodnog ugovora predlaže se ovaj Prijedlog zakona raspraviti i prihvatiti po hitnom postupku, objedinjujući prvo i drugo čitanje.

KONAČNI PRIJEDLOG ZAKONA O POTVRĐIVANJU SPORAZUMA IZMEĐU STRANAKA SJEVERNOATLANTSKOG UGOVORA O SURADNJI VEZANO UZ ATOMSKE PODATKE S TAJNIM TEHNIČKIM DODATKOM SPORAZUMU IZMEĐU STRANAKA SJEVERNOATLANTSKOG UGOVORA O SURADNJI VEZANO UZ ATOMSKE PODATKE I POVJERLJIVIM SIGURNOSNIM DODATKOM SPORAZUMU IZMEĐU STRANAKA SJEVERNOATLANTSKOG UGOVORA O SURADNJI VEZANO UZ ATOMSKE PODATKE

Članak 1.

Potvrđuje se Sporazum između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, sastavljen u Parizu, dana 18. lipnja 1964. godine, u izvorniku na engleskom i francuskom jeziku, a koji je Republika Hrvatska potpisala 16. travnja 2010.

Članak 2.

Tekst Sporazuma iz članka 1. ovoga Zakona, u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik, glasi:

SPORAZUM IZMEĐU STRANAKA
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O SURADNJI VEZANO UZ
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S

TAJNIM TEHNIČKIM DODATKOM
SPORAZUMU IZMEĐU STRANAKA
SJEVERNOATLANTSKOG UGOVORA
O SURADNJI VEZANO UZ
ATOMSKE PODATKE

(DEKLASIFICIRANIM OD STRANE
SJEVERNOATLANTSKOG VIJEĆA
10. SVIBNJA 2000.)

I

POVJERLJIVIM SIGURNOSNIM DODATKOM
SPORAZUMU IZMEĐU STRANAKA
SJEVERNOATLANTSKOG UGOVORA
O SURADNJI VEZANO UZ ATOMSKE PODATKE

(DEKLASIFICIRANIM OD STRANE
SJEVERNOATLANTSKOG VIJEĆA
6. OŽUJKA 1998.)

SPORAZUM IZMEĐU STRANAKA SJEVERNOATLANTSKOG
UGOVORA O SURADNJI VEZANO UZ
ATOMSKE PODATKE

PREAMBULA

Stranke Sjevernoatlantskog ugovora, potpisanog u Washingtonu 4. travnja 1949.,

priznajući da njihova uzajamna sigurnost i obrana zahtijeva da one budu pripravne za eventualni slučaj atomskog ratovanja, i

priznajući da će njihov zajednički interes biti unaprijeđen ako Organizaciji Sjevernoatlantskog ugovora i njezinim državama članicama učine dostupnim uz to pripadajuće podatke, i

uzimajući u obzir Zakon o atomskoj energiji Sjedinjenih Država iz 1954., kako je izmijenjen i dopunjen, koji je pripremljen imajući u vidu ove svrhe,

djelujući u njihovo vlastito ime i u ime Organizacije Sjevernoatlantskog ugovora,

sporazumijevaju se kako slijedi:

ČLANAK I.

U skladu sa i prema zahtjevima Zakona o atomskoj energiji Sjedinjenih Država iz 1954., kako je izmijenjen i dopunjen, Vlada Sjedinjenih Američkih Država će, dok Organizacija Sjevernoatlantskog ugovora nastavlja značajno i materijalno doprinositi uzajamnoj obrani i sigurnosti, surađivati priopćavanjem, s vremena na vrijeme, Organizaciji Sjevernoatlantskog ugovora i njezinim državama članicama, dok one nastavljaju tako doprinositi, atomskih podataka u skladu s odredbama ovog Sporazuma, pod uvjetom da Vlada Sjedinjenih Američkih Država utvrdi da će takva suradnja promicati i neće predstavljati nerazuman rizik za njezinu obranu i sigurnost.

ČLANAK II.

Usporedo s obvezom Vlade Sjedinjenih Američkih Država na temelju ovog Sporazuma, druge države članice Organizacije Sjevernoatlantskog ugovora će, do mjere koju one smatraju potrebnom, priopćavati Organizaciji Sjevernoatlantskog ugovora, uključujući njezinim vojnim i civilnim elementima, i državama članicama atomske podatke koje one stvaraju istovrsne onima koje predviđa ovaj Sporazum. Odredbe i uvjeti koji uređuju ova priopćavanja od strane drugih država članica bit će predmetom naknadnih sporazuma, no bit će isti ili slični odredbama i uvjetima navedenim u ovom Sporazumu.

ČLANAK III.

Vlada Sjedinjenih Američkih Država će priopćavati Organizaciji Sjevernoatlantskog ugovora, uključujući njezinim vojnim i civilnim elementima, i državama članicama Organizacije Sjevernoatlantskog ugovora koje zahtijevaju atomske podatke u svezi s njihovim djelovanjima vezanim uz NATO zadaće, one atomske podatke koje je Vlada Sjedinjenih Američkih Država utvrdila kao nužne za:

- (a) razvoj obrambenih planova;
- (b) obuku osoblja o upotrebi i obrani od atomskog oružja i drugim vojnim primjenama atomske energije;
- (c) ocjenu sposobnosti mogućih neprijatelja u upotrebi atomskog oružja i drugim vojnim primjenama atomske energije; i
- (d) razvoj prijenosnih sustava kompatibilnih s atomskim oružjem kojeg oni nose.

ČLANAK IV.

1. Suradnju na temelju ovog Sporazuma provodit će Vlada Sjedinjenih Američkih Država u skladu s njezinim primjenjivim zakonima.

2. Na temelju ovog Sporazuma Vlada Sjedinjenih Američkih Država neće obavljati transfer atomskog oružja, nenuklearnih dijelova atomskog oružja ili nenuklearnih dijelova sustava atomskog oružja koji uključuju ograničene podatke.

3. Atomske podatke koje je priopćila Vlada Sjedinjenih Američkih Država, sukladno ovom Sporazumu koriste se isključivo za pripremu ili provedbu obrambenih planova i aktivnosti NATO-a te razvoj sustava dostave u zajedničkom interesu Organizacije Sjevernoatlantskog ugovora.

ČLANAK V.

1. Atomskim podacima priopćenim sukladno ovom Sporazumu bit će dodijeljena potpuna sigurnosna zaštita na temelju primjenjivih propisa i postupaka NATO-a, ugovorenih sigurnosnih dogovora te nacionalnog zakonodavstva i propisa. Ni u kojem slučaju Organizacija Sjevernoatlantskog ugovora ili njezine države članice neće sigurnosne standarde čuvanja atomskih podataka održavati manje ograničavajućim od onih utvrđenih u pripadajućim sigurnosnim propisima NATO-a i ostalim ugovorenim sigurnosnim dogovorima koji su na snazi na datum stupanja na snagu ovog Sporazuma.

2. Uspostava i usklađivanje sigurnosnog programa u svim vojnim i civilnim elementima NATO-a provodit će se na temelju ovlasti Sjevernoatlantskog vijeća u skladu s postupcima utvrđenim u ugovorenim sigurnosnim dogovorima.

3. Atomi podaci koje je priopćila Vlada Sjedinjenih Američkih Država sukladno ovom Sporazumu bit će učinjeni dostupnim kroz sada postojeće putove za priopćavanje atomskih podataka ili kako može biti dalje dogovoreno.

4. Atomske podatke priopćene ili razmijenjene sukladno ovom Sporazumu, Organizacija Sjevernoatlantskog ugovora ili osobe pod njezinom nadležnošću neće priopćavati ili razmjenjivati s neovlaštenim osobama ili, osim kao što je predviđeno u stavku 5. ovog članka, izvan nadležnosti te Organizacije.

5. Osim ako Vlada Sjedinjenih Američkih Država drugačije ne odredi, atomske podatke Sjedinjenih Država koji su pribavljeni Organizaciji Sjevernoatlantskog ugovora Organizacija Sjevernoatlantskog ugovora može po potrebi priopćavati njezinim državama članicama radi provedbe djelovanja vezanih uz NATO zadaće, pod uvjetom da je širenje takvih atomskih podataka unutar takvih država članica ograničeno na one određene pojedince koji se bave NATO zadaćama za koje su podaci potrebni. Države članice su suglasne da atomski podaci koji su tako primljeni od Organizacije Sjevernoatlantskog ugovora ili na drugi način sukladno ovom Sporazumu neće biti prenijeti neovlaštenim osobama ili izvan nadležnosti države članice primateljice; međutim, takvi podaci mogu se priopćiti Organizaciji Sjevernoatlantskog ugovora ili, kada je Vlada Sjedinjenih Američkih Država odobrila, drugim državama članicama kojima su ti podaci potrebni za djelovanja vezana uz NATO zadaće.

ČLANAK VI.

Bez obzira na ostale odredbe ovog Sporazuma, Vlada Sjedinjenih Američkih Država može ugovoriti stupanj do kojeg bilo koji atomski podaci koje je ona učinila dostupnim Organizaciji Sjevernoatlantskog ugovora ili državama članicama mogu biti šireni, može odrediti kategorije osoba koje mogu imati pristup takvim podacima te može nametnuti druga takva ograničenja širenju podataka kakva smatra potrebnim.

ČLANAK VII.

1. Stranka koja prima atomske podatke na temelju ovog Sporazuma koristit će ih samo za svrhe koje su ovdje navedene. Bilo koji izumi ili otkrića stranke primateljice ili osoba pod njezinom nadležnošću koji proizlaze iz posjedovanja takvih podataka bit će učinjeni dostupnim Vladi Sjedinjenih Američkih Država za obrambene svrhe bez naplate u skladu s takvim dogovorima kakvi mogu biti ugovoreni te će biti čuvani u skladu s odredbama članka V. ovog Sporazuma.

2. Primjena ili korištenje bilo kojih podataka priopćenih na temelju ovog Sporazuma bit će odgovornost stranke koja ga prima; stranka koja priopćava podatke ne osigurava bilo kakvu odštetu ili jamstvo u odnosu na njihovu primjenu ili korištenje.

ČLANAK VIII.

Ništa u ovom Sporazumu neće se smatrati da zamjenjuje ili na drugi način utječe na dvostrane ugovore između stranaka ovog Sporazuma koji osiguravaju suradnju u razmjeni atomskih podataka.

ČLANAK IX.

U svrhe ovog Sporazuma:

- (a) "atomsko oružje" znači bilo kakav uređaj koji koristi atomsku energiju, isključujući sredstva za prijevoz ili pogon uređaja (gdje je takvo sredstvo odvojiv i djeljiv dio uređaja), čija je glavna svrha korištenje kao, ili za razvoj, oružja, prototipa oružja, ili uređaja za ispitivanje oružja.
- (b) "atomske podatke" koje pribavlja Vlada Sjedinjenih Američkih Država na temelju ovog Sporazuma znače podatke koje je Vlada Sjedinjenih Američkih Država označila kao "ograničene podatke" ili "nekada ograničene podatke".

ČLANAK X.

1. Ovaj Sporazum stupa na snagu nakon što Vlada Sjedinjenih Američkih Država primi obavijesti svih stranaka Sjevernoatlantskog ugovora da su spremne biti vezane odredbama Sporazuma.

2. Vlada Sjedinjenih Američkih Država će obavijestiti sve stranke Sjevernoatlantskog ugovora te će također obavijestiti Organizaciju Sjevernoatlantskog ugovora o svakoj obavijesti te o stupanju na snagu ovog Sporazuma.

3. Ovaj Sporazum ostaje na snazi dok ne bude okončan jednoglasnim sporazumom ili zamijenjen drugim sporazumom, podrazumijevajući, međutim, da prestanak ovog Sporazuma kao cjeline ne oslobađa bilo koju stranku od zahtjeva ovog Sporazuma da čuva podatke koji su joj temeljem njega učinjeni dostupnim.

ČLANAK XI.

Bez obzira na odredbe članka VI.(4) Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, potpisanog u Parizu, 22. lipnja 1955., ovaj Sporazum nakon stupanja na snagu zamjenjuje gore navedeni Sporazum, podrazumijevajući, međutim, da se podaci priopćeni na temelju tog Sporazuma za sve svrhe smatraju priopćenima na temelju odredaba ovog Sporazuma.

ČLANAK XII.

Ovaj Sporazum nosi datum na koji je on otvoren za potpisivanje i ostaje otvoren za potpisivanje dok ga ne potpišu sve države stranke Sjevernoatlantskog ugovora.

U potvrdu toga su dolje potpisani predstavnici potpisali ovaj Sporazum u ime njihovih odnosnih država, članica Organizacije Sjevernoatlantskog ugovora, te u ime Organizacije Sjevernoatlantskog ugovora.

Sastavljeno u Parizu 18. lipnja 1964., na engleskom i francuskom jeziku, pri čemu su oba teksta jednako vjerodostojna, u jednom izvorniku koji će se položiti u arhivu Vlade Sjedinjenih Američkih Država. Vlada Sjedinjenih Američkih Država dostavit će ovjerene preslike svim državama potpiscicama i državama koje mu pristupaju.

TAJNI TEHNIČKI DODATAK SPORAZUMU
IZMEĐU STRANAKA SJEVERNOATLANTSKOG
UGOVORA O SURADNJI VEZANO UZ ATOMSKE
PODATKE

Odredbe ovog Dodatka provode pojedine odredbe Sporazuma o suradnji vezano uz atomske podatke, sastavljenog u Parizu 18. lipnja 1964. (u daljnjem tekstu Sporazum) kojeg je ovaj Dodatak sastavni dio.

ODJELJAK I.

Sukladno odredbama i uvjetima Sporazuma, vrste atomskih podataka koje Vlada Sjedinjenih Američkih Država može učiniti dostupnim Organizaciji Sjevernoatlantskog ugovora i njezinim državama članicama su:

A. Kako može biti potrebno za uzajamno obrambeno planiranje, obuku te logističke zahtjeve, podaci koji se odnose na brojeve, lokacije, vrste, proizvode, naoružavanje, popunu, zapovijedanje i nadzor te punjenje onog atomskog oružja koje se može učiniti dostupnim za korištenje od strane ili u potpori Organizacije Sjevernoatlantskog ugovora.

- B. Učinci koji se očekuju ili proizlaze iz detonacije atomskog oružja.
- C. Odgovori struktura, opreme, komunikacija i osoblja na učinke atomskog oružja, uključujući štetu ili kriterije žrtva.
- D. Metode i postupci za analizu učinaka atomskog oružja.
- E. Podaci o sposobnostima potencijalnih neprijateljskih država za atomsko ratovanje.
- F. Podaci o atomskom oružju i sustavima atomskog oružja potrebni za postizanje sposobnosti isporuke određenog atomskog oružja koje može biti učinjeno dostupnim za korištenje od strane ili u potpori Organizacije Sjevernoatlantskog ugovora, uključujući podatke potrebne za ocjenu sustava atomskog oružja kako bi se utvrdili NATO zahtjevi i strategija.
- G. Podaci o sustavima isporuke, uključujući taktike i tehnike te dužnosti održavanja, montaže, isporuke i posade za lansiranje potrebne za postizanje mogućnosti isporuke s određenim atomskim oružjem.
- H. Do mjere do koje će oni utjecati na NATO planiranje, očekivani rezultati strateškog zračnog napada.
- I. Podaci potrebni za postizanje kompatibilnosti određenog atomskog oružja s određenim vozilima za isporuku.
- J. Sigurnosne značajke određenog atomskog oružja i operativnih sustava povezanih s takvim oružjem te podaci potrebni i odgovarajući za operacije spašavanja i pronalaženja vezane uz nezgode s oružjem.
- K. Podaci potrebni za planiranje i obuku osoblja o upotrebi i obrani od atomskog oružja i uključujući podatke koji se odnose na:
- (1) Vojno korištenje izotopa u medicinske svrhe.
 - (2) Obranu od radiološkog ratovanja.
- L. Podaci koji se odnose na civilnu obranu od atomskih napada.
- M. Drugi podaci koji mogu biti utvrđeni od strane odgovarajućih tijela Sjedinjenih Država kao potrebni u potpori Organizacije Sjevernoatlantskog ugovora i prenosivi na temelju odredaba Zakona o atomskoj energiji iz 1954., kako je izmijenjen i dopunjen, te Sporazuma.

ODJELJAK II.

Nikakvi podaci o drugim vojnim primjenama atomske energije, vojnih reaktora ili pomorskih nuklearnih pogonskih postrojenja neće se priopćavati na temelju ovog Sporazuma.

POVJERLJIVI SIGURNOSNI DODATAK SPORAZUMU
IZMEĐU STRANAKA SJEVERNOATLANTSKOG UGOVORA
O SURADNJI VEZANO UZ ATOMSKE PODATKE

Ovaj Dodatak navodi sigurnosne mjere koje Organizacija Sjevernoatlantskog ugovora i države članice primjenjuju kako bi zaštitile atomske podatke koje je Vlada Sjedinjenih Američkih Država učinila dostupnim Organizaciji Sjevernoatlantskog ugovora i njezinim državama članicama sukladno Sporazumu o suradnji vezano uz atomske podatke, sastavljenom u Parizu 18. lipnja 1964. (u daljnjem tekstu „Sporazum“) kojeg je ovaj Dodatak sastavni dio. U slučaju da članica Organizacije Sjevernoatlantskog ugovora osim Vlade Sjedinjenih Američkih Država učini atomske podatke dostupnim sukladno članku II. Sporazuma, takvi podaci će se čuvati ne manje ograničavajućim sigurnosnim mjerama od onih navedenih u ovom Dodatku.

ODJELJAK I.

OPĆENITO

A. NATO-ve sigurnosne propise, ne manje ograničavajuće od onih koji su trenutno navedeni u C-M(55)15 (konačni) i Povjerljivom prilogu od 1. siječnja 1961., uz isti, kao i sigurnosne mjere određene u ovom Dodatku, primjenjuju vojni i civilni elementi NATO-a i države članice na atomske podatke koji se priopćavaju sukladno Sporazumu.

B. Sigurnosni program kako je proveden od strane svih vojnih i civilnih elemenata NATO-a i država članica koje primaju atomske podatke sukladno Sporazumu u potpunosti će osigurati provođenje sigurnosnih zahtjeva utvrđenih u ovom Dodatku.

C. Glavni tajnik, djelujući u ime Sjevernoatlantskog vijeća i na temelju svojih ovlasti, odgovoran je za nadzor primjene sigurnosnih programa NATO-a za zaštitu atomskih podataka na temelju Sporazuma. On će pomoću postupaka navedenih u odjeljku X. ovog Dodatka utvrditi da su sve mjere koje zahtjeva sigurnosni program NATO-a poduzete u civilnim i vojnim elementima NATO-a te nacionalnim civilnim i vojnim elementima radi zaštite podataka razmijenjenih na temelju ovog Sporazuma.

D. Nijedna osoba nije ovlaštena za pristup atomskim podacima isključivo na osnovi čina, imenovanja ili sigurnosne provjere.

E. Pristup atomskim podacima koji su učinjeni dostupnim Organizaciji Sjevernoatlantskog ugovora ograničen je na državljane država članica Organizacije Sjevernoatlantskog ugovora nad kojima je obavljena sigurnosna provjera u skladu s odjeljkom II. ovog Dodatka te koji zbog dužnosti trebaju pristup podacima.

F. Pristup atomskim podacima koji su učinjeni dostupnim državi članici sukladno Sporazumu ograničen je na njezine državljane nad kojima je obavljena sigurnosna provjera u skladu s odjeljkom II. ovog Dodatka čije dužnosti zahtijevaju pristup kako bi država članica ispunila njezine dužnosti i obveze prema Organizaciji Sjevernoatlantskog ugovora.

ODJELJAK II.

OSOBNOST SIGURNOST

A. Nad nijednim pojedincem neće biti obavljena sigurnosna provjera za pristup atomskim podacima osim ako se utvrdi da takva provjera neće ugroziti sigurnost Organizacije Sjevernoatlantskog ugovora ili nacionalnu sigurnost država članica Organizacije Sjevernoatlantskog ugovora.

B. Prije omogućavanja pristupa atomskim podacima, odgovorno tijelo vlade pojedinca koji je u pitanju utvrdit će podobnost (odluku za obavljanje sigurnosne provjere) svakog pojedinca kojem se omogućava pristup.

C. Odluka je li obavljanje sigurnosne provjere jasno u skladu s interesima sigurnosti bit će utvrđena na temelju svih raspoloživih podataka. Prije ovog utvrđivanja, odgovorno vladino tijelo provodi istragu te se prikupljeni podaci razmatraju u svjetlu glavnih vrsta derogatornih podataka koji otvaraju pitanje pojedinačne podobnosti za sigurnosnu provjeru, kao što je to navedeno u odjeljku III. Povjerljivog priloga od 1. siječnja 1961. C-M(55)15(konačni).

D. Minimalni djelokrug i opseg istrage bit će u skladu sa standardima navedenim u odjeljku II. Povjerljivog priloga C-M(55)15(konačni), osim što se zahtijeva dodatna istraga za provjeru radi pristupa atomskim podacima koji su klasificirani kao tajni, za pojedince koji nisu pripadnici oružanih snaga ili civilnog osoblja vojnih ustanova država članica.

E. Svaka ustanova koja rukuje atomskim podacima vodi odgovarajuću evidenciju provjera za pojedince kojima je odobren pristup takvim podacima u toj ustanovi. Svaka provjera se razmatra, ovisno o situaciji, kako bi se osigurala usklađenost s važećim standardima koji su

primjenjivi na zaposlenje pojedinca se preispituje kao prioritetno pitanje kada primljeni podaci upućuju da nastavak zaposlenja koje uključuje pristup atomskim podacima možda više nije u skladu s interesima sigurnosti.

F. U svakoj državi održava se učinkovita veza između nacionalnih agencija odgovornih za nacionalnu sigurnost te tijela odgovornih za donošenje odluka o provjerama kako bi se osiguralo brzo obavješćivanje o podacima s derogatornim implikacijama koje su nastale nakon obavljanja sigurnosne provjere.

ODJELJAK III.

FIZIČKA SIGURNOST

A. Atomski podaci bit će fizički zaštićeni od špijunaže, sabotaze, neovlaštenog pristupa ili bilo koje druge neprijateljske aktivnosti. Takva zaštita bit će razmjerna važnosti predmetnog sigurnosnog interesa.

B. Programi fizičke zaštite atomskih podataka bit će uspostavljeni tako da osiguraju:

1. Odgovarajuću zaštitu atomskih podataka koji su raspoloživi za trenutno korištenje, spremjeni ili u tranzitu.
2. Uspostavljanje sigurnosnih područja, s nadziranom pristupom, kada se to procijeni nužnim s obzirom na osjetljivost, narav, veličinu i korištenje klasificiranih atomskih podataka te narav i položaj predmetne zgrade ili zgrada.
3. Sustav nadziranog pristupa koji sjedinjuje postupke nadležnog tijela da odobrava pristup, točne metode identifikacije osoblja te odgovornosti za identifikacijske medije; i sredstva nametanja ograničenja kretanja unutar te pristupa sigurnosnim područjima.

C. Odredbe gore navedenog stavka B dodatne su uz postupke navedene u odjeljku IV C-M(55)15(konačni).

ODJELJAK IV.

KONTROLA ATOMSKIH PODATAKA

A. Održavat će se programi kontrole podataka koji će za svoje osnovne svrhe imati:

1. Kontrolu pristupa.
2. Pripravnu odgovornost srazmjernu stupnju osjetljivosti.
3. Uništenje nakon što više nisu potrebni.

B. Stupnjevi tajnosti koje primjenjuje Vlada Sjedinjenih Američkih Država na atomske podatke priopćene na temelju Sporazuma poštovat će se u svako doba; promjena stupnja tajnosti ili deklasifikacija može se izvršiti jedino uz odobrenje Vlade Sjedinjenih Američkih Država.

C. Dokumenti koji sadrže atomske podatke Sjedinjenih Država priopćene na temelju Sporazuma nose NATO oznake i stupnjeve tajnosti koji su istoznačni onima koje je odredila Vlada Sjedinjenih Američkih Država, nakon koje slijedi riječ ATOMAL. Dodatno, sljedeće oznake upisuju se na dokument na jeziku dokumenta:

„Ovaj dokument sadrži atomske podatke Sjedinjenih Država (ograničeni podaci ili nekada ograničeni podaci) koji su učinjeni dostupnim sukladno NATO Sporazumu o suradnji vezano uz atomske podatke od 18. lipnja 1964. godine i čuvat će se u skladu s tim.“

D. Evidencije o odgovornosti vode se za sve vrlo tajne i tajne dokumente i za sve dokumente na koje su stavljena posebna ograničenja u skladu s člankom VI. Sporazuma. Ove evidencije prikazuju identitet svih primatelja dokumenata na koje su stavljena posebna ograničenja.

E. Kopije, uključujući izvratke i prijevode, dokumenata koji sadrže atomske podatke Sjedinjenih Država i nose oznake određene u gore navedenom stavku C., mogu biti napravljene na temelju sljedećih pravila:

1. Dokumenti klasificirani kao tajni i vrlo tajni mogu se umnožavati jedino uz prethodno odobrenje Vlade Sjedinjenih Američkih Država. Takvi dokumenti nosit će odgovarajuću bilješku u tu svrhu. U hitnim slučajevima kada se prethodno odobrenje ne može pribaviti na vrijeme, od ovog pravila se može odstupiti, ali će Vlada Sjedinjenih Američkih Država biti o tome obaviještena na najbrži način.
2. Dokumenti klasificirani kao povjerljivi mogu se umnožavati samo po potrebi radi ispunjavanja trenutnih zahtjeva.
3. Kopije, uključujući izvratke i prijevode, nose sve sigurnosne oznake (uključujući oznaku opisanu u stavku C.) koje se nalaze na izvornom dokumentu i

podvrgavaju se kontrolama odgovornosti koje se primjenjuju na izvorni dokument. Gdje stavci nose zasebne stupnjeve, stupnjevi tajnosti dokumenata koji sadrže izdvojene atomske podatke, nose stupanj stavka s najvišim stupnjem iz kojeg su uzeti izvatici i gdje je to prikladno oznaku određenu u stavku C. Kontrole odgovornosti za izdvojene atomske podatke bit će onakve kakve su predviđene u stavku D. ovog odjeljka. Nadalje, onakva posebna ograničenja kakva mogu biti stavljena na izvorni dokument primjenjuju se na dokumente koji sadržavaju izvratke.

F. Dokumenti pripremljeni za bilježenje atomskih podataka primljenih na temelju Sporazuma usmenim putem ili vizualnim sredstvima nose oznake određene u gore navedenom stavku C. i podliježu pravilima odgovornosti i kontrole primjenjivim za razinu predmetne klasifikacije.

ODJELJAK V.

PUTOVI PRIJENOSA

Priopćavanja Vlade Sjedinjenih Američkih Država o atomskim podacima na temelju Sporazuma, uključujući usmeno i vizualno priopćavanje, provode se postojećim putovima ili kako može biti dalje dogovoreno. Kako bi pomogla glavnom tajniku u obavljanju njegovih sigurnosnih dužnosti na temelju stavka C. odjeljka I. ovog Dodatka, Vlada Sjedinjenih Američkih Država glavnom tajniku dostavlja dovoljno podataka da identificira svako pisano priopćavanje Vlade Sjedinjenih Američkih Država o atomskim podacima i svako priopćavanje koje odobri Vlada Sjedinjenih Američkih Država na temelju Sporazuma. Ovi podaci će također biti poslani Stalnoj skupini za sva priopćavanja prema vojnim elementima.

ODJELJAK VI.

IZVJEŠĆA

A. Svaka država članica te vojni i civilni elementi NATO-a koji primaju atomske podatke Sjedinjenih Američkih Država na temelju Sporazuma podnose Vladi Sjedinjenih Američkih Država do 31. ožujka svake godine, koristeći postojeće putove ili kako može biti dalje dogovoreno, putem glavnog tajnika, izvješće koje sadrži sljedeće :

1. Popis svih atomskih dokumenata primljenih od Vlade Sjedinjenih Američkih Država tijekom dvanaest mjeseci završno s 31. prosincem prethodne godine.

2. Bilješku o distribuciji dokumenata navedenih u gore navedenom stavku 1., i
3. Ovjeru da je obavljen fizički pregled svih atomskih podataka za koje je država članica ili vojni ili civilni element NATO-a odgovoran na temelju Sporazuma. Ovjera uključuje popis svih nestalih dokumenata, s izjavom o rezultatima istrage o gubitku i poduzetim korektivnim mjerama kako bi se spriječilo ponavljanje.

B. Ako su atomski podaci Sjedinjenih Američkih Država priopćeni na temelju Sporazuma ugroženi gubitkom dokumenata ili na bilo koji drugi način, izrađuje se hitno izvješće uključujući sve relevantne podatke koji se odnose na ugrožavanje, koristeći postojeće putove ili kako može biti dalje dogovoreno, glavnom tajniku i Vladi Sjedinjenih Američkih Država.

ODJELJAK VII.

SIGURNOSNO OBRAZOVANJE

Države članice i vojni i civilni elementi NATO-a koji primaju podatke na temelju Sporazuma, održavat će odgovarajući program kako bi osigurali da su svi pojedinci koji imaju odobren pristup atomskim podacima obaviješteni o svojim dužnostima čuvanja tih podataka. Program uključuje određenu početnu pouku i orijentaciju, povremeno ponovno naglašavanje pojedinačnih dužnosti i završni razgovor na kojem se naglašavaju daljnje dužnosti za zaštitu atomskih podataka.

ODJELJAK VIII.

SIGURNOST KLASIFICIRANIH UGOVORA

Svaki klasificirani ugovor, podugovor, konzultantski sporazum ili drugi dogovor koji su sklopile stranke Sporazuma, čije ispunjenje uključuje pristup atomskim podacima razmijenjenim na temelju Sporazuma, sadržava odgovarajuće odredbe namećući uključenim privatnim strankama obveze da se pridržavaju sigurnosnih dogovora navedenih u ovom Dodatku.

ODJELJAK IX.

STALNI PREGLED SIGURNOSNOG SUSTAVA

A. Priznaje se da se djelotvorna i brza provedba sigurnosne politike može bitno unaprijediti kroz uzajamne posjete sigurnosnog osoblja. Dogovoreno je da se nastavi temeljita razmjena stajališta koja se odnosi na sigurnosnu politiku, standarde i postupke i da se dopusti sigurnosnim radnim skupinama Sjedinjenih Država da ispituju i

pregledaju iz prve ruke postupke i praksu agencija Organizacije Sjevernoatlantskog ugovora i agencija država članica odgovornih za zaštitu dokumenata i podataka priopćenih na temelju Sporazuma, takvi posjeti se poduzimaju s ciljem postizanja razumijevanja adekvatnosti i razumne usporedivosti pojedinih sigurnosnih sustava.

B. Glavni tajnik i Stalna skupina u slučaju posjeta vojnim elementima, bit će obavješteni o tim posjetima i izvještaji koji navode odgovarajuće nalaze radnih skupina Sjedinjenih Država bit će im dati nakon svakog posjeta. Svi posjeti nacionalnim elementima bit će provedeni u suradnji s nacionalnim sigurnosnim tijelima odnosnih država.

ODJELJAK X.

SIGURNOSNI NADZOR

A. Sveobuhvatni sigurnosni nadzor svih vojnih i civilnih elemenata NATO-a i država članica koji su primili atomske podatke na temelju Sporazuma obavlja se redovito, ali najmanje jednom u dvanaest mjeseci, u skladu s kriterijima navedenim u odjeljku I., stavku A. ovog Dodatka. Ove nadzore obavljaju NATO-ove agencije koje su odgovorne za primjenu NATO-ovog sigurnosnog programa, koristeći osposobljeno osoblje. Vijeće može, ako to smatra potrebnim ili poželjnim, narediti obavljanje posebnih nadzora i imenovati ad hoc skupine za nadzor sastavljene od osoblja iz civilnih i vojnih agencija NATO-a ili drugog osposobljenog osoblja. Posjeti vojnim i civilnim elementima država članica usklađuju se s odgovarajućim nacionalnim tijelima.

B. Sve faze sigurnosnog programa bit će razmotrene te se u roku od trideset dana nakon okončanja nadzora glavnom tajniku dostavlja pisano izvješće koje sadržava popis svih nedostataka pronađenih u primjeni sigurnosnih propisa.

C. Preslike ovih izvješća o nadzoru glavni tajnik će učiniti dostupnim Sjedinjenim Državama sukladno Sporazumu i, u skladu s drugim odredbama o tome te kako bude primjereno, postrojbi u kojoj je obavljen nadzor, odnosnim nacionalnim sigurnosnim tijelima i vojnim zapovjedništvima.

D. U roku od trideset dana nakon primitka izvješća o nadzoru, odgovarajuća tijela NATO-a ili nacionalni element u kojem je obavljen nadzor prosljeđuje glavnom tajniku izvješće o poduzetim mjerama radi ispravljanja svih nedostataka navedenih u izvješću o nadzoru. Nakon pregleda izvješća o nadzoru i izvješća o poduzetim korektivnim mjerama, glavni tajnik, prema potrebi, postupajući u ime Vijeća, ukazuje nacionalnim tijelima, Stalnoj skupini ili odnosnim civilnim elementima na svaku daljnju mjeru koja može biti potrebna da bi se ispunili NATO-ovi sigurnosni kriteriji i odredbe ovog Sporazuma. Preslike izvješća o korektivnim mjerama kao i preslike svih

primjedbi glavnog tajnika u skladu s ovim stavkom, bit će podijeljeni na isti način kao što je predviđeno u stavku C. ovog odjeljka za izvješća o nadzoru.

E. U slučaju da problem koji se odnosi na korektivne mjere proizašle iz sigurnosnih nadzora ostane neriješen nakon primjene postupaka navedenih u stavku D. ovog odjeljka, glavni tajnik Vijeću ukazuje na ovo pitanje s preporukom da se imenuje ad hoc skupina za nadzor radi istraživanja problema i izvještavanja Vijeća, koje će nakon toga poduzeti odgovarajuće mjere.

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

WITH

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

(DECLASSIFIED BY THE
NORTH ATLANTIC COUNCIL
ON MAY 10, 2000)

AND

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

(DECLASSIFIED BY THE
NORTH ATLANTIC COUNCIL
ON MARCH 6, 1998)

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 purpose 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

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. 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. 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

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

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 Organization, 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

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 Organization, and on behalf of the North Atlantic Treaty Organization.

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.

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 18th June, 1964 (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.
- 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.

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.

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 18th 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.

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.

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 authorized 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.

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).

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. "

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.

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.
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.

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.

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 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.

Članak 3.

Provedba ovoga Zakona u djelokrugu je središnjeg tijela državne uprave nadležnog za poslove obrane.

Članak 4.

Na dan stupanja na snagu ovoga Zakona, Sporazum iz članka 1. ovoga Zakona nije na snazi u odnosu na Republiku Hrvatsku te će se podaci o njegovom stupanju na snagu objaviti sukladno članku 30. stavku 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora.

Članak 5.

Ovaj Zakon stupa na snagu osmoga dana od dana objave u Narodnim novinama.

OBRAZLOŽENJE

Člankom 1. Konačnog prijedloga zakona utvrđuje se da Hrvatski sabor potvrđuje Sporazum između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, sukladno odredbi članka 139. stavka 1. Ustava Republike Hrvatske i članka 18. Zakona o sklapanju i izvršavanju međunarodnih ugovora, čime se iskazuje formalni pristanak Republike Hrvatske da bude vezana njegovim odredbama, a na temelju čega će taj pristanak biti izražen i na međunarodnoj razini polaganjem isprave o ratifikaciji.

Članak 2. sadrži tekst Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik.

Člankom 3. utvrđuje se da je provedba Zakona u djelokrugu središnjeg tijela državne uprave nadležnog za poslove obrane.

Člankom 4. utvrđuje se da na dan stupanja Zakona na snagu, Sporazum iz članka 1. Zakona nije na snazi u odnosu na Republiku Hrvatsku te da će se podaci o njegovom stupanju na snagu objaviti sukladno članku 30. stavku 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora.

Člankom 5. Zakona uređuje se stupanje na snagu ovoga Zakona.

**PRILOG - PRESLIKA TEKSTA SPORAZUMA U IZVORNIKU
NA ENGLISKOM I FRANCUSKOM JEZIKU**

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

WITH

AVEC

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

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

[DECLASSIFIED BY THE
NORTH ATLANTIC COUNCIL
ON MAY 10, 2000]

[DECLASSIFIEE PAR LE
CONSEIL DE L'ATLANTIQUE NORD
LE 10 MAI 2000]

AND

ET

CONFIDENTIAL SECURITY ANNEX TO
THE AGREEMENT BETWEEN THE
PARTIES TO THE NORTH ATLANTIC
TREATY FOR COOPERATION
REGARDING ATOMIC INFORMATION

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

[DECLASSIFIED BY THE
NORTH ATLANTIC COUNCIL
ON MARCH 6, 1998]

[DECLASSIFIEE PAR LE
CONSEIL DE L'ATLANTIQUE NORD
LE 6 MARS 1998]

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 mu-
tuelles exigent qu'ils soient prêts à faire face aux con-
ditions de la guerre atomique,

Reconnaissant qu'il est de leur intérêt commun que
des renseignements s'y rapportant soient mis à la dis-
position 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'Organisa-
tion 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 actuel-
le, 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'Organi-
sation du Traité de l'Atlantique Nord, aussi longtemps
que cette Organisation apportera des contributions subs-
tantielles 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 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.

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 déliée 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 Organization, and on behalf of the North Atlantic Treaty Organization.

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 :

19 Juin 1964

For the Kingdom of Belgium :

[Signature]

Pour le Canada :

30 Juin 1964

For Canada :

[Signature]

Pour le Royaume de Danemark :

25 Juin 1964

For the Kingdom of Denmark :

[Signature]

Pour la France :

18 Juin 1964

For France :

[Signature]

Pour la République Fédérale d'Allemagne :

18 Juin 1964

For the Federal Republic of Germany :

[Signature]

Pour le Royaume de Grèce :

18 Juin 1964

For the Kingdom of Greece :

[Signature]

Pour l'Islande : 18th June 1964
For Iceland : Pjetur Thorsteinsson

Pour l'Italie : 29 Juin 1964
For Italy : A. Kellpaudsson

Pour le Grand-Duché de Luxembourg : 18 juin 1964
For the Grand-Duchy of Luxembourg : Paul Kunter

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

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

Pour le Portugal : le 9 juillet 1964
For Portugal : Maurice Chiriac

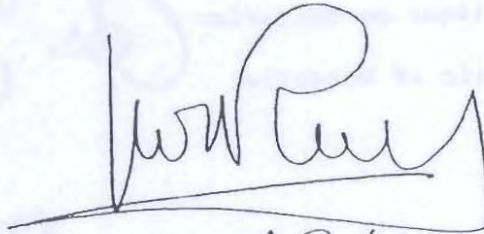
Pour la Turquie : le 18 Juin 1964
For Turkey : Antoni Sigg

Pour le Royaume-Uni de Grande-Bretagne
et d'Irlande du Nord : 18th June, 1964
For the United Kingdom of Great Britain
and Northern Ireland : Evgen Semelov

Pour les Etats-Unis d'Amérique :
For the United States of America :
June 18, 1964
Thomas G. Swetten

Pour l'Espagne:

For Spain:



27th of September, 2000

Pour la République Tchèque:

For the Czech Republic:

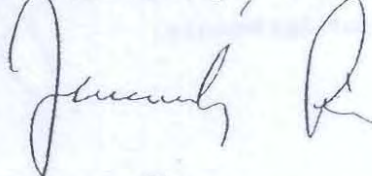
5 November, 1999



Pour la République de Hongrie:

For the Republic of Hungary:

December 10, 1999



Pour la République de Pologne:

For the Republic of Poland:

Przewoźnik Gaudin

24 October 2000

Pour la République de Bulgarie:

For the Republic of Bulgaria:

[Signature]
August 4, 2005

Pour la République d'Estonie:

For the Republic of Estonia:

[Signature]
Sept. 1, 2005

Pour la République de Lettonie:

For the Republic of Latvia:

[Signature]
24. sept., 2004.

Pour la République de Lituanie:

For the Republic of Lithuania:

[Signature]
September 8, 2004

Pour la Roumanie:

For Romania:

[Signature]
February 19th, 2006

Pour la République slovaque:

For the Slovak Republic:

[Signature]
March 2nd 2005

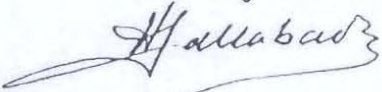
Pour la République de Slovénie:

For the Republic of Slovenia:

[Signature]
September 20, 2006

Pour la République d'Albanie:


For the Republic of Albania:

Aleksander Jallabard


07. 04. 2010

Pour la République de Croatie:


For the Republic of Croatia:

Kolinda Grabar Kitarović


April 16, 2010

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

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



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

Les dispositions de la présente Annexe sont destinées à permettre la mise en oeuvre des dispositions de l'Accord sur la Coopération dans le domaine des Renseignements Atomiques fait à Paris le 18 juin 1964 (ci-après dénommé l'Accord) dont ladite Annexe forme partie intégrante.

SECTION I

Dans les conditions et selon les modalités fixées par l'Accord, les types de renseignements atomiques qui pourront être communiqués par le Gouvernement des Etats-Unis d'Amérique à l'Organisation du Traité de l'Atlantique Nord et aux Etats membres de l'Organisation seront les suivants :

A. Renseignements nécessaires en vue de l'élaboration des plans de défense mutuelle, de l'entraînement et des besoins logistiques, en ce qui concerne le nombre, l'emplacement, les types, la puissance, le système d'armement, le système de sécurité, le commandement et le contrôle ainsi que le déclenchement des armes atomiques susceptibles d'être mises à la disposition de l'Organisation du Traité de l'Atlantique Nord aux fins d'emploi par cette Organisation ou en soutien de cette Organisation.

B. Effets à attendre de l'explosion d'armes atomiques ou résultant de telles explosions.

C. Résultats sur les constructions, le matériel, les télécommunications et le personnel de l'emploi d'armes atomiques, y compris les critères d'évaluation des dommages matériels et des pertes humaines.

D. Méthodes et procédures d'analyses concernant les effets des armes atomiques.

E. Renseignements sur les possibilités de nations éventuellement ennemies dans le domaine de la guerre atomique.

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 18th 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.

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

F. Renseignements sur les armes atomiques et les systèmes d'armes atomiques nécessaires pour permettre l'acheminement d'armes atomiques déterminées pouvant être fournies pour emploi par l'Organisation du Traité de l'Atlantique Nord ou en soutien de cette Organisation, y compris les renseignements nécessaires pour déterminer la valeur des systèmes d'armes atomiques en vue de définir les besoins et la stratégie de l'Organisation du Traité de l'Atlantique Nord.

G. Renseignements concernant les systèmes d'acheminement, y compris : données tactiques et techniques d'emploi, règles d'entretien, mise en place, acheminement et équipes de lancement nécessaires pour permettre l'acheminement d'armes atomiques déterminées.

H. Dans la mesure où ils influenceront l'élaboration des plans de l'Organisation du Traité de l'Atlantique Nord, résultats à attendre de l'offensive aérienne stratégique.

I. Renseignements nécessaires pour rendre compatibles des armes atomiques et des véhicules d'acheminement déterminés.

J. Caractéristiques de sécurité d'armes atomiques déterminées et de systèmes de mise en oeuvre associés à de telles armes et tous renseignements nécessaires et appropriés pour les opérations de récupération et de remise en état en cas d'accident survenu à ces armes.

K. Renseignements nécessaires à la prévision des besoins en personnel et l'instruction de celui-ci en ce qui concerne l'emploi des armes atomiques et la défense contre ces armes, y compris des renseignements concernant :

- (1) les utilisations militaires des isotopes, à des fins médicales ;
- (2) la défense contre la guerre radiologique.

L. Renseignements concernant la protection civile contre les attaques atomiques.

SECRET TECHNICAL ANNEX TO THE AGREEMENT
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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.

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M. Autres renseignements qui pourront être jugés, par les autorités américaines compétentes, nécessaires pour le soutien de l'Organisation du Traité de l'Atlantique Nord et dont la transmission est possible en vertu des dispositions tant de la Loi sur l'Energie Atomique de 1954 dans sa rédaction actuelle, que du présent Accord.

SECTION II

Aucun renseignement sur d'autres applications militaires de l'énergie nucléaire, sur les réacteurs de caractère militaire, ou sur les installations navales de propulsion nucléaire ne sera communiqué en vertu du présent Accord.

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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.

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INFORMATION

Pour le Royaume de Belgique .

18 juin 1964

For the Kingdom of Belgium :

Adolphe Laerech

Pour le Canada :

30 Juin 1964

For Canada :

George Spjut

Pour le Royaume de Danemark :

25 juin 1964

For the Kingdom of Denmark :

B. Hennrich

Pour la France :

18 juin 1964

For France :

T. Legendre

Pour la République Fédérale
d'Allemagne :

18 Juin 1964

For the Federal Republic of
Germany :

W. G. ...

Pour le Royaume de Grèce :

18 Juin 1964

For the Kingdom of Greece :

...lauro

ANNEXE SECRETE TECHNIQUE A L'ACCORD ENTRE
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SECRET TECHNICAL ANNEX TO THE AGREEMENT
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TREATY FOR CO-OPERATION REGARDING ATOMIC
INFORMATION

Pour l'Islande : 18th June 1964

For Iceland : *Páll Thorslónsson*

Pour l'Italie : 22 Juin 1964

For Italy : *A. Debyudrini*

Pour le Grand-Duché de Luxembourg : 18 juin 1964

For the Grand Duchy of Luxembourg : *Paul Reuter*

Pour le Royaume des Pays-Bas : 18 June 1964

For the Kingdom of the Netherlands : *Alv Born*

Pour le Royaume de Norvège : 24th July 1964

For the Kingdom of Norway : *Georg Kristiansen*

Pour le Portugal : le 9 juillet 1964

For Portugal : *Mário Soares*

Pour la Turquie : le 18 juin 1964

For Turkey : *Iskender Savaş*

Pour le Royaume-Uni de Grande-Bretagne
et d'Irlande du Nord :

For the United Kingdom of Great Britain
and Northern Ireland :

18th June, 1964

Erwin Sundeberg

Pour les Etats-Unis d'Amérique :

For the United States of America :

June 18 1964
Thomas G. Finletter

Pour l'Espagne:

For Spain:

[Handwritten signature]

27th of September, 2000

Pour la République Tchèque:

For the Czech Republic:

5 November, 1999

[Handwritten signature]

Pour la République de Hongrie:

For the Republic of Hungary:

December 10, 1999

[Handwritten signature]

Pour la République de Pologne:

For the Republic of Poland:

Przemisław Ciesielski

24 October 2000

Pour la République de Bulgarie:
For the Republic of Bulgaria:

[Signature]
August 4, 2005

Pour la République d'Estonie:
For the Republic of Estonia:

[Signature]
Sept 1, 2005

Pour la République de Lettonie:
For the Republic of Latvia:

[Signature]
24. sept., 2004.

Pour la République de Lituanie:
For the Republic of Lithuania:

[Signature]
September 8, 2004

Pour la Roumanie:
For Romania:

[Signature]
February 14th, 2004

Pour la République slovaque:
For the Slovak Republic:

[Signature]
March 2nd 2005

Pour la République de Slovénie:
For the Republic of Slovenia:

[Signature]
September 20, 2006

Pour la République d'Albanie:

For the Republic of Albania:

Aleksandra Lalla baska

Aleksandra Lalla baska

07. 04. 2010

Pour la République de Croatie:

For the Republic of Croatia:

Kolinda Grabar Kitarovic

Kolinda Grabar Kitarovic

April 16, 2010

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

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

ANNEXE DE SECURITE CONFIDENTIELLE A L'ACCORD
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La présente Annexe expose les mesures de sécurité que l'Organisation du Traité de l'Atlantique Nord et les Etats membres mettront en oeuvre pour la sauvegarde des renseignements atomiques fournis par le Gouvernement des Etats-Unis d'Amérique et à l'Organisation du Traité de l'Atlantique Nord et aux Etats membres de celle-ci, en application de l'Accord sur la coopération dans le domaine des renseignements atomiques, fait à Paris le 18 Juin 1954 (désigné ci-après par les termes "l'Accord") dont la présente Annexe est partie intégrante. Dans le cas où un membre de l'Organisation du Traité de l'Atlantique Nord autre que le Gouvernement des Etats-Unis d'Amérique fournirait des renseignements atomiques à l'Organisation du Traité de l'Atlantique Nord, en application de l'Article II de l'Accord, les dispositions de sécurité sauvegardant ces renseignements ne seront en aucun cas d'une portée plus limitée que celles qui sont stipulées dans la présente Annexe.

SECTION I

GENERALITES

A. Les règlements de sécurité de l'Organisation du Traité de l'Atlantique Nord, en aucun cas inférieurs à ceux qui sont actuellement exposés dans le document C-M(55)15(Définitif) et dans le Supplément Confidentiel à ce document en date du 1er janvier 1961, ainsi que les mesures de Sécurité exposées dans la présente Annexe, seront appliqués par les éléments civils et militaires de l'Organisation du Traité de l'Atlantique Nord et par les Etats membres aux renseignements atomiques communiqués en application de l'Accord.

B. Le programme de sécurité mis en oeuvre par tous les éléments civils ou militaires de l'Organisation du Traité de l'Atlantique Nord et par les Etats membres destinataires de renseignements atomiques en application de l'Accord comprendra toutes les mesures nécessaires pour répondre aux impératifs de sécurité formulés dans la présente Annexe.

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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 18th 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.

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C. Le Secrétaire Général agissant au nom du Conseil de l'Organisation du Traité de l'Atlantique Nord et sous son autorité sera chargé de contrôler l'application du programme de sécurité OTAN à la protection des renseignements atomiques communiqués en vertu de l'Accord. Il s'assurera, conformément aux procédures énoncées dans la Section X de la présente Annexe, que toutes les mesures de sécurité, requises par le programme de sécurité de l'OTAN, sont prises par les éléments civils et militaires de l'OTAN et les éléments civils et militaires nationaux en vue de la protection des renseignements échangés dans le cadre de cet Accord.

D. Aucune personne ne sera autorisée à avoir accès aux renseignements atomiques par la seule vertu de son grade, de ses fonctions ou de sa qualification de sécurité.

E. L'accès aux renseignements atomiques mis à la disposition de l'Organisation du Traité de l'Atlantique Nord sera limité aux ressortissants des pays membres de l'Organisation du Traité de l'Atlantique Nord auxquels aura été accordée une qualification de sécurité conforme aux dispositions de la Section II de la présente Annexe, et dont les responsabilités comportent le besoin de connaître ces renseignements.

F. L'accès aux renseignements atomiques communiqués en application de l'Accord au Gouvernement d'un pays membre du Traité de l'Atlantique Nord sera limité aux ressortissants de ce pays qui disposeront d'un certificat de sécurité conforme aux dispositions de la Section II de la présente Annexe et dont les fonctions officielles nécessitent cet accès afin que l'Etat membre puisse s'acquitter de ses responsabilités et de ses obligations envers l'Organisation du Traité de l'Atlantique Nord.

SECTION II

SECURITE DANS LE DOMAINE DU PERSONNEL

A. Aucune personne ne se verra accorder la qualification de sécurité lui donnant accès aux renseignements atomiques sans qu'il ait été constaté de façon certaine que cette qualification ne met pas en danger la sécurité de l'Organisation du Traité de l'Atlantique Nord ou celle des Etats membres de l'Organisation.

CONFIDENTIAL SECURITY ANNEX TO THE AGREEMENT
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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.

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B. Avant de donner à un de ses ressortissants l'accès aux renseignements atomiques, une autorité gouvernementale doit avoir décidé de l'éligibilité (décision d'accorder une qualification de sécurité) de chaque individu à se voir accorder un tel accès.

C. La décision de savoir si le fait d'accorder une qualification de sécurité ne va pas mettre en danger la sécurité doit être fondée sur la totalité des renseignements disponibles. Avant de prendre cette décision, une autorité gouvernementale responsable procédera à une enquête et les renseignements ainsi obtenus seront examinés en fonction des principaux types de renseignements défavorables de nature à mettre en question l'aptitude d'une personne à une telle qualification de sécurité, conformément aux dispositions de la Section III du Supplément Confidentiel en date du 1er janvier 1961 au C-M(55)15(Définitif).

D. La portée minima et l'étendue d'une telle enquête seront conformes aux normes fixées dans la Section II du Supplément Confidentiel au C-M(55)15(Définitif), à cela près qu'une enquête sur les antécédents sera nécessaire pour l'octroi d'un certificat donnant accès aux renseignements atomiques classifiés Secret pour les personnes autres que les membres des Forces Armées ou le personnel civil ou contractuel des Etablissements militaires des Etats membres de l'Organisation.

E. Chaque établissement manipulant des renseignements atomiques tiendra un registre approprié des qualifications des personnes autorisées à avoir accès à de telles informations dans cet établissement. Chaque qualification devra être réexaminée en cas de besoin pour s'assurer qu'elle est conforme aux normes courantes relatives à l'emploi des personnels et devra être réexaminée en priorité au reçu de renseignements nouveaux indiquant que le fait de maintenir l'intéressé dans cet emploi en lui conservant l'accès à des renseignements atomiques peut n'être plus conforme aux intérêts de la sécurité.

F. Pour assurer une rapide communication des renseignements susceptibles d'être considérés comme défavorables et qui auraient été découverts postérieurement à l'octroi d'une qualification de sécurité, une liaison efficace devra être maintenue dans chaque Etat entre les organismes responsables de la sécurité nationale et l'autorité chargée de la décision en matière de qualification de sécurité.

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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.

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SECTION III

SECURITE PHYSIQUE

A. Les renseignements atomiques seront protégés physiquement contre l'espionnage, le sabotage, l'accès non autorisé ou toute autre activité hostile. Cette protection sera adaptée à l'importance des intérêts de sécurité en cause.

B. Les programmes concernant la sécurité physique des renseignements atomiques seront établis de manière à assurer :

1. une protection efficace des informations atomiques en cours d'utilisation, en magasin, ou en transit ;
2. l'établissement de zones de sécurité, avec accès contrôlés, lorsque cette mesure sera jugée nécessaire en raison de la sensibilité, de la nature, du volume et de l'emploi des renseignements atomiques classifiés ainsi que de la nature et de l'emplacement du ou des bâtiments intéressés ;
3. un système d'accès contrôlé comprendra des procédures d'autorisation établies par une autorité compétente, des méthodes précises d'identification des personnes et une comptabilité d'enregistrement des moyens d'identification ; un dispositif permettant de restreindre les mouvements à l'intérieur des zones de sécurité et de limiter l'accès à ces zones.

C. Les dispositions du paragraphe B ci-dessus viendront s'ajouter aux procédures figurant dans la Section IV du C-M(55)15(Définitif).

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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).

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SECTION IV

CONTROLE DES RENSEIGNEMENTS ATOMIQUES

A. Des programmes de contrôle des renseignements seront établis avec pour objet fondamental :

1. le contrôle des accès ;
2. une prise en compte immédiate conforme à l'intérêt des informations ;
3. la destruction quand les documents ou les renseignements ne présentent plus d'intérêt.

B. Les classifications de sécurité appliquées par le Gouvernement des Etats-Unis d'Amérique aux renseignements atomiques communiqués aux termes de l'Accord seront respectées en tout temps ; leur reclassification ou leur déclassification ne pourra être effectuée qu'avec l'accord du Gouvernement des Etats-Unis d'Amérique.

C. Les documents contenant des renseignements atomiques communiqués par le Gouvernement des Etats-Unis d'Amérique aux termes de l'Accord porteront une identification OTAN et une classification de sécurité équivalent à celle qui leur aura été attribuée par le Gouvernement des Etats-Unis d'Amérique, suivie du mot ATOMAL. En outre, la note suivante sera insérée dans le document, dans la langue correspondante :

"Le présent document contient des informations atomiques fournies par les Etats-Unis (classifiées "données réservées" ou "antérieurement données réservées") en application de l'Accord OTAN sur la Coopération dans le Domaine des Renseignements atomiques en date du 18 Juin 1964 et doit être sauvegardé conformément aux dispositions dudit Accord."

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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."

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D. Des registres d'enregistrement seront tenus pour tous les documents TRES SECRET et SECRET et pour tous les documents dont la circulation est frappée de restrictions particulières conformément à l'Article VI de l'Accord. Ces registres mentionneront l'identité de tous les destinataires de documents dont la circulation est frappée de restrictions particulières.

E. Il sera possible de faire des reproductions, extraits et traductions compris, de documents contenant des renseignements atomiques fournis par les Etats-Unis et portant les marques d'identification stipulées au paragraphe C ci-dessus, sous les conditions suivantes :

1. Les documents classés SECRET et TRES SECRET ne pourront être reproduits qu'avec l'accord préalable du Gouvernement des Etats-Unis d'Amérique. Ces documents seront convenablement annotés à cet effet. En cas d'urgence, si l'accord préalable du Gouvernement des Etats-Unis d'Amérique ne peut être obtenu à temps, il pourra être fait exception à cette règle, à condition que le Gouvernement des Etats-Unis d'Amérique en soit informé le plus rapidement possible.
2. Les documents classifiés CONFIDENTIEL ne pourront être reproduits qu'au fur et à mesure des besoins.
3. Ces reproductions, extraits et traductions compris, porteront toutes les identifications de sécurité (y compris la note mentionnée au paragraphe C) se trouvant sur le document d'origine et seront soumis au même contrôle d'enregistrement que ce dernier. Lorsque les différents paragraphes du texte en question portent des classifications de sécurité différentes, la classification d'ensemble du document reproduisant les extraits de renseignements atomiques sera celle du paragraphe ayant la classification la plus élevée parmi ceux d'où les renseignements ont été extraits ; le cas échéant, ces paragraphes porteront la note spécifiée au paragraphe C. Les procédures d'enregistrement des renseignements atomiques ainsi communiqués seront celles qui sont prévues au paragraphe D de la présente section. En outre, des limitations spéciales qui auraient été imposées au document original s'appliqueront également aux documents contenant les extraits.

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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.

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F. Les documents établis en vue d'enregistrer la transmission verbale ou visuelle de renseignements atomiques aux termes de l'Accord porteront les marques d'identification indiquées au paragraphe C ci-dessus et seront soumis aux règles d'enregistrement et de contrôle applicables à l'échelon de classification correspondant.

SECTION V

VOIES DE TRANSMISSION

La communication par le Gouvernement des Etats-Unis d'Amérique de renseignements atomiques aux termes de l'Accord, y compris les communications verbales ou visuelles, s'effectuera par les moyens existants ou susceptibles d'être agréés ultérieurement. Pour aider le Secrétaire Général à s'acquitter des fonctions de sécurité qui lui incombent aux termes du paragraphe C de la Section I de la présente Annexe, le Gouvernement des Etats-Unis d'Amérique lui fournira les renseignements nécessaires pour lui permettre d'identifier chaque transmission écrite de renseignements atomiques effectuée ou autorisée par ce gouvernement en vertu de l'Accord. Ces renseignements seront également transmis au Groupe Permanent en ce qui concerne les communications faites à des éléments militaires.

SECTION VI

COMPTES RENDUS

A. Tout Etat membre et tout élément civil ou militaire de l'Organisation du Traité de l'Atlantique Nord recevant du Gouvernement des Etats-Unis d'Amérique des renseignements atomiques aux termes de l'Accord transmettront, par les voies existantes ou susceptibles d'être agréés ultérieurement, à ce Gouvernement, par l'intermédiaire du Secrétaire Général, au plus tard le 31 mars de chaque année, un compte rendu donnant les précisions suivantes :

1. Liste de tous les documents atomiques reçus du Gouvernement des Etats-Unis d'Amérique au cours des douze mois se terminant le 31 décembre de l'année précédente.

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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.

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2. Registre indiquant la distribution des documents énumérés au paragraphe 1 ci-dessus.
3. Document certifiant qu'il a été effectué une vérification matérielle de tous les documents atomiques dont l'Etat membre ou l'élément civil ou militaire de l'Organisation du Traité de l'Atlantique Nord est responsable aux termes de l'Accord. Ce certificat comprendra une liste de tous les documents non retrouvés, accompagnée d'un exposé des résultats de l'enquête consécutive à la perte du document et des mesures prises pour en éviter le renouvellement.

B. Au cas où des renseignements atomiques transmis par le Gouvernement des Etats-Unis d'Amérique aux termes de l'Accord se trouveraient compromis par la perte de documents ou pour toute autre raison, un rapport contenant tous renseignements utiles à ce sujet sera fourni immédiatement au Secrétaire Général et au Gouvernement des Etats-Unis d'Amérique, par les voies existantes ou susceptibles d'être agréées ultérieurement.

SECTION VII

ENSEIGNEMENT DE LA SECURITE

Les Etats membres et les éléments civils et militaires de l'Organisation du Traité de l'Atlantique Nord recevant des renseignements en vertu de l'Accord établiront un programme adéquat en vue d'informer chacune des personnes ayant accès aux renseignements atomiques des responsabilités qui leur incombent en matière de sauvegarde de ces renseignements. Ce programme comprendra une instruction et une orientation initiales précises, suivies d'instructions périodiques où l'accent sera mis sur les responsabilités de chacun et un entretien final au départ des personnes en fin de contrat, mettant en relief que les intéressés ne sont pas dégagés, par leur cessation d'emploi, de leurs responsabilités en matière de protection des renseignements atomiques.

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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.

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SECTION VIII

SECURITE DES CONTRATS CLASSIFIES

Tout contrat, sous-contrat, contrat passé avec des conseillers techniques, ou autre convention classifiée conclue par les Etats Parties à l'Accord et dont l'exécution exige l'accès aux renseignements atomiques échangés aux termes de l'Accord, contiendra des dispositions appropriées faisant obligation aux signataires privés de se conformer aux dispositions de sécurité formulées dans la présente Annexe.

SECTION IX

REEXAMEN PERMANENT DU SYSTEME DE SECURITE

A. Il est reconnu que la mise en oeuvre efficace et rapide des mesures de sécurité peut être sensiblement favorisée par des visites mutuelles entre membres des services de sécurité. Les Etats Parties à l'Accord sont convenus de continuer à procéder à des échanges de vues quant aux mesures, normes et procédures de sécurité et de permettre aux groupes de travail spécialisés des Etats-Unis d'examiner et de vérifier directement les procédures et usages suivis par les organismes de l'Organisation du Traité de l'Atlantique Nord et des Etats membres chargés de la protection des documents et des renseignements communiqués en vertu de l'Accord ; une telle action étant entreprise afin d'obtenir que les systèmes de sécurité respectifs soient adaptés à leur but et raisonnablement comparables.

B. Le Secrétaire Général et le Groupe Permanent, s'il s'agit de visites à des éléments militaires, seront informés de ces visites et après chaque visite un rapport indiquant les conclusions pertinentes des Groupes de travail des Etats-Unis leur sera communiqué. Toutes les visites d'installations nationales seront effectuées en coopération avec les services nationaux de sécurité des Etats en cause.

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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.

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SECTION X

INSPECTIONS DE SECURITE

A. Des inspections générales de sécurité de tous les organismes militaires et civils de l'OTAN et des Etats membres ayant reçu des renseignements atomiques en vertu de l'Accord seront effectuées régulièrement, au moins une fois par an, selon les dispositions prévues à la Section I, paragraphe A, de la présente Annexe. Ces inspections seront effectuées par les organismes OTAN responsables de l'application du programme de sécurité OTAN, et par l'intermédiaire des personnels qualifiés. Le Conseil pourra, s'il l'estime nécessaire ou souhaitable, prescrire des inspections particulières et désigner à cette fin des groupes d'inspection composés de personnels des agences civiles et militaires de l'OTAN ou d'autres personnels qualifiés. Les inspections des éléments militaires et civils nationaux seront coordonnées avec les autorités nationales appropriées.

B. Tous les aspects du programme de sécurité seront étudiés au cours des inspections. Dans un délai de trente jours après l'inspection, un rapport écrit comprenant une liste de toutes les insuffisances éventuellement constatées dans l'application des règlements de sécurité sera transmis au Secrétaire Général.

C. Des copies de ces rapports d'inspection seront adressées par le Secrétaire Général aux Etats-Unis, en application de l'Accord, et le cas échéant, dans la mesure compatible avec les autres dispositions applicables, à l'installation inspectée, au service national de sécurité intéressé et aux quartiers généraux.

D. Dans les trente jours qui suivront la réception d'un rapport d'inspection, les autorités de l'élément OTAN ou national inspecté adresseront au Secrétaire Général un compte rendu des mesures prises pour remédier aux insuffisances constatées dans le rapport d'inspection. Après examen de ces rapports et comptes rendus, le Secrétaire Général, agissant au nom du Conseil, appellera, selon les

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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

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cas, l'attention des autorités nationales, du Groupe Permanent ou de l'agence civile concernée, sur les nouvelles mesures qui pourraient être nécessaires pour répondre aux normes de sécurité et aux dispositions de l'Accord. Des copies de ces comptes rendus des mesures prises ainsi que des commentaires du Secrétaire Général ci-dessus mentionnés seront diffusées de la manière prévue au paragraphe C de la présente section pour les rapports d'inspection.

E. Au cas où, après l'application des mesures prévues au paragraphe D de la présente section, une question non résolue subsisterait concernant une mesure corrective, le Secrétaire Général soumettrait l'affaire au Conseil, en recommandant la désignation d'un groupe d'inspection pour enquêter et faire rapport au Conseil, qui prendrait alors les mesures appropriées.

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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.

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Pour le Royaume de Belgique : 19 Juin 1964

For the Kingdom of Belgium :

A. De Weert

Pour le Canada :

For Canada :

30 Juin 1964
Ernest Gruening

Pour le Royaume de Danemark : 25 Juin 1964

For the Kingdom of Denmark :

J. L. Lunde

Pour la France :

For France :

18 Juin 1964
F. Lericq

Pour la République Fédérale d'Allemagne :

For the Federal Republic of Germany :

18 Juin 1964
Wilhelm G. Hees

Pour le Royaume de Grèce :

For the Kingdom of Greece :

18 Juin 1964
S. Papanicolaou

Pour l'Islande :

For Iceland :

18 Juin 1964
Páll Thorslén

Pour l'Italie :

For Italy :

22 Juin 1964
A. Scialoja

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Pour le Grand-Duché de Luxembourg : 18 juin 1964
For the Grand Duchy of Luxembourg : *M. L. L. L.*

Pour le Royaume des Pays-Bas : 18 juin 1964
For the Kingdom of the Netherlands : *J. W. B. B.*

Pour le Royaume de Norvège : 24th July 1964.
For the Kingdom of Norway : *G. Kristiansen*

Pour le Portugal : le 9 juillet 1964
For Portugal : *J. M. L. L.*

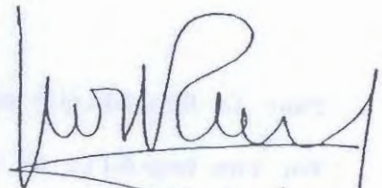
Pour la Turquie : le 18 juin 1964
For Turkey : *K. L. L. L.*

Pour le Royaume-Uni de Grande-Bretagne
et d'Irlande du Nord : 18th June, 1964
For the United Kingdom of Great Britain
and Northern Ireland : *E. S. L. L.*

Pour les Etats-Unis d'Amérique :
For the United States of America :
June 18, 1964
H. L. L. L.

Pour l'Espagne:


For Spain:


27th of September, 2000

Pour la République Tchèque:

For the Czech Republic:

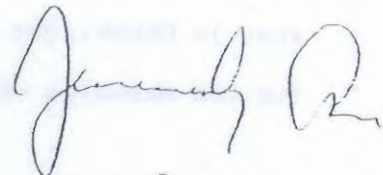
5 November, 1999



Pour la République de Hongrie:

For the Republic of Hungary:

December 10, 1999




Pour la République de Pologne:

For the Republic of Poland:

Przemysław Gosudziński
24 October 2000

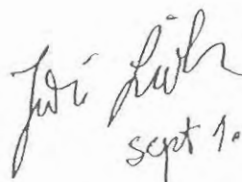
Pour la République de Bulgarie:

For the Republic of Bulgaria:


August 4, 2005

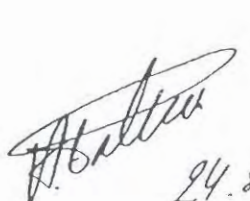
Pour la République d'Estonie:

For the Republic of Estonia:


sept 1. 2005

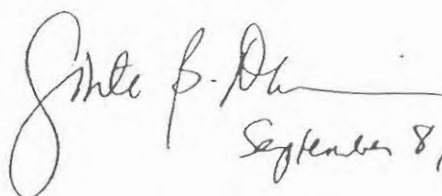
Pour la République de Lettonie:

For the Republic of Latvia:


24. sept., 2004

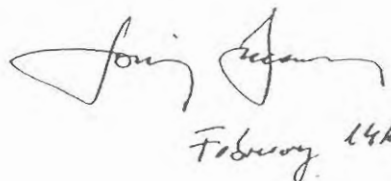
Pour la République de Lituanie:

For the Republic of Lithuania:


September 8, 2004

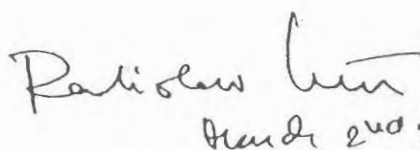
Pour la Roumanie:

For Romania:


February 14th, 2004

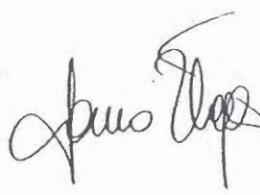
Pour la République slovaque:

For the Slovak Republic:


March 2nd 2005


Pour la République de Slovénie:

For the Republic of Slovenia:


September 20, 2006

I CERTIFY THAT the foregoing is a true copy of the Agreement Between the Parties to the North Atlantic Treaty for Co-operation Regarding Atomic Information, with annexes, dated at Paris on June 18, 1964, in the English and French languages, the signed original of which is deposited in the archives of the Government of the United States of America.

IN TESTIMONY WHEREOF, I, HILLARY RODHAM CLINTON, Secretary of State of the United States of America, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Authentication Officer of the said Department, at the city of Washington, in the District of Columbia, this fifth day of May, 2010.

A large, circular seal of the Department of State is positioned on the left side of the document. It features an eagle with wings spread, perched on a shield, surrounded by a laurel wreath. The words "DEPARTMENT OF STATE" are inscribed around the perimeter of the seal.
Hillary Rodham Clinton
Secretary of State

By *Denitue J. Hankins*
Authentication Officer
Department of State



Republika Hrvatska
Predsjednik

Na temelju članka 100. stavka 1. Ustava Republike Hrvatske („Narodne novine“, broj 85/10 - pročišćeni tekst) i članka 7. stavka 2. točke 25. Zakona o obrani („Narodne novine“, broj 33/02, 58/02, 7/07 i 153/09), na prijedlog Vlade Republike Hrvatske, dajem

Prethodno mišljenje

I.

Ovim Prethodnim mišljenjem dajem suglasnost na prijedlog Vlade Republike Hrvatske za upućivanje Prijedloga zakona o potvrđivanju Sporazuma između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke s Tajnim tehničkim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke i Povjerljivim sigurnosnim dodatkom Sporazumu između stranaka Sjevernoatlantskog ugovora o suradnji vezano uz atomske podatke, s Konačnim prijedlogom zakona Hrvatskom saboru u postupak donošenja, u tekstu koji je sastavni dio dopisa Vlade Republike Hrvatske (Klasa: 910-04/10-01/03; Urbroj: 5030106-10-7 od 11. studenoga 2010.).

Prethodno mišljenje daje se radi upućivanja Prijedloga zakona u postupak donošenja, kako je navedeno u stavku 1. ove točke.

II.

Ovo Prethodno mišljenje stupa na snagu danom donošenja.

PREDSJEDNIK REPUBLIKE
I VRHOVNI ZAPOVJEDNIK
ORUŽANIH SNAGA



dr. sc. Ivo Josipović

KLASA: 807-04/10-01/03
URBROJ: 71-03/2-10-02
Zagreb, 17. studenoga 2010.