

EXPLANATORY MEMORANDUM FOR THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE GRAND DUCHY OF LUXEMBOURG CONCERNING THE PROTECTION OF CLASSIFIED INFORMATION

**Title of Agreement**

1. Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Grand Duchy of Luxembourg concerning the protection of classified information.

**Command Paper Number:** 9197

**Subject Matter**

2. This bilateral Agreement concerns the mutual protection of classified information exchanged between the Government of the United Kingdom and the Government of Luxembourg, or passed to commercial and industrial organisations in either of the two countries. The Agreement was signed in London on 8 September 2015 by the Minister of State for Europe, the Rt Hon David Lidington, and the Ambassador of the Grand Duchy of Luxembourg, Mr Patrick Engelberg.
3. The Agreement addresses the following subjects: equivalent markings and security standards for the protection of classified information; restrictions on how and when such information can be used, transmitted or disclosed; rules and notification procedures governing access to classified material by contractors and visitors; reciprocal industrial security arrangements; protocols following the loss or compromise of classified material; and dispute resolution procedures.

**Ministerial Responsibility**

4. The Secretary of State for Foreign and Commonwealth Affairs has overall responsibility for policy concerning the United Kingdom's relations with Luxembourg; however the Cabinet Office has responsibility for the implementation of protective security policy in the UK. The Home Secretary has responsibility for policy matters relating to national security (except in Scotland). The Secretary of State for Defence also has a policy interest in this area.

**Policy Considerations**

**General**

5. This Agreement will provide a legal basis for the protection for all classified information exchanged between the United Kingdom and Luxembourg, including in areas such as defence, law enforcement, counter-terrorism and security. The Agreement does not oblige either Party to exchange classified information with the other, it only provides a legal mechanism for Government authorities, and Government authorised companies, to facilitate any exchanges.
6. The Agreement will allow UK companies to bid for Luxembourg classified contracts, and vice-versa.

### **Financial**

7. There are no significant direct financial implications for the United Kingdom. Any costs incurred by either party in the application of the security provisions of this Agreement will be borne by that party.

### **Reservations and Declarations**

8. Not applicable.

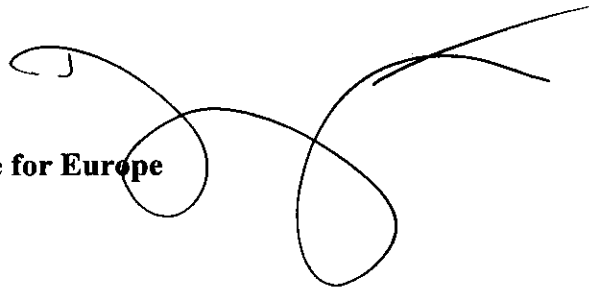
### **Implementation**

9. The Agreement will come into effect on the first day of the second month after notifications have been exchanged between both countries that all the procedures required to implement this Agreement have been undertaken.
10. No new legislation is required in the UK to implement the Agreement.

### **Consultations**

11. Cabinet Office, Ministry of Defence, and the Foreign and Commonwealth Office were consulted throughout the negotiations.

**Minister of State for Europe**

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