

RS Official Gazette, No. 86/2013

On the basis of Article 14, paragraph 4 of the Law on Classified Information (RS Official Gazette, No. 104/09) and Article 42, paragraph 1 of the Law on the Government (RS Official Official Gazette, No. 55/05, 71/05 - corrigendum, 101/07, 65/08, 68/12- the Constitutional Court Ruling and 72/12,

The Government has adopted the following:

DECREE
on the detailed criteria for designating the CONFIDENTIAL RS and RESTRICTED RS
classification level
at the Office of the National Security Council and Classified Information Protection

Article 1

This decree prescribes the detailed criteria for designating classified information at the level of CONFIDENTIAL RS and RESTRICTED RS at the Office of the National Security Council and Classified Information Protection (hereinafter: "The Council Office")

Article 2

Classified information referred to in Article 1 of this Decree shall be designated and marked with the CONFIDENTIAL RS or RESTRICTED RS level depending on the assessment of possible damage to the Republic of Serbia interests, or for the purpose of preventing damage to the Council Office activities or performance of its tasks.

Article 3

Classified information referred to in Article 1 of this Decree shall be designated and marked with the CONFIDENTIAL RS classification level, if its disclosure to the unauthorized person, misuse or destruction is likely to have the following damaging effects on the Republic of Serbia interests:

- 1) A threat to the the Republic of Serbia territorial integrity and sovereignty;
- 2) A threat to the Republic of Serbia constitutional order and democratic principles;
- 3) A loss of human lives or a risk to human lives or health, or a threat to property;
- 4) Damage to the Republic of Serbia economic interests;
- 5) A threat to the national and public security, defense or the security and intelligence services' activities;
- 6) A threat to the interests of the criminal prosecution, suppression of criminal offences and the functioning of the judiciary;

- 7) A threat to the Serbian Armed Forces operational and functional capabilities and Republic of Serbia other defense forces;
- 8) A threat to the Republic of Serbia international position and its cooperation with other countries, international organizations and other international entities,
- 9) An immediate and exceptionally grave threat to the cultural heritage beneath the surface of the ground i.e. archeological sites, archival materials, works of art and art collections, and
- 10) A loss, damage or destruction of the cultural heritage.

Article 4

Classified information referred to in Article 1 of this decree may be designated and marked with the RESTRICTED RS classification level, if its disclosure to the unauthorized person, misuse or destruction is likely to have the following damaging effects on the Council Office work or performance of its functions and tasks:

- 1) Weakening the Council Office operational and functional capabilities;
- 2) Threatening the Council Office cooperation with foreign bodies, international organizations and other international entities, and
- 3) Damaging citizens' trust in the Council Office legal and professional work;

Article 5

Proceeding from the criteria referred to in Articles 3 and 4 and in accordance with the law regulating classified information, the authorized person of the Council Office shall take a decision to designate the classification level of information at the Council Office based on prior assessment of possible damage to the the Republic of Serbia interests or to the performance of the Council Office functions and tasks .

The decision referred to in paragraph 1 of this Article shall be reconsidered in accordance with a periodical classification review.

Article 6

This Decree shall enter into force on the eighth day from the date of its publication in the Official Gazette of the Republic of Serbia.

GOVERNMENT

Ivica Dačić
Prime Minister, sgd.

Ref.05 No. 110-8118/2013
Belgrade, 30 September 2013

