

## ADMINISTRATIVE PROTECTION OF THE CONFIDENTIALITY OF SPATIAL INFORMATION IN THE REPUBLIC OF MACEDONIA

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### ABSTRACT

The protection of the confidentiality (secrecy) of the spatial information have a great importance in the prevention of maleficent activities from the part of the unasked persons against security of the Republic of Macedonia, defense, public security, security of the citizens, economy and other social values. It is generally regulated by Law on Classified Information.

In the paper the problems linked with the classification of the spatial information, and its administrative protection according the degree of the confidence (secrecy) will be analyzed, as: receipt and recording of classified data; storing, handling and control of classified information; reproductions, translations and extracts making from the documents which contains classified information; distribution and dissemination of documents; transmission of documents; disposal and destruction of classified information and measures which should be taken in the cases of compromises, unauthorized release and breaches of security of documents which contains classified spatial information.

Administrative protection of spatial information is regulated by the Decree on Administrative Security of Classified Information

Special Law (Lex specialis) which contains the enactment for protection of the spatial information is the Law on Real Estate Cadastre. According this Law, competent state body for the protection of those information is the The Agency for Real Estate Cadastre. According the Law, the Agency shall undertake legal, organizational and technologic procedures and measures to secure the paper and electronic Geodetic-Cadastral information System (GCIS) information in order to prevent illicit acquisition, processing, safeguarding, use or transfer of data, accidental or intentional change or destruction of the data, as well as illegal reallocation of the data outside the Agency's premises.

The Law does not contain any enactment which refer to use the Law on Classified Information and the Decree on Administrative Security of Classified Information. But, autor consider that this Law and Decree can be used in as general regulation (lex generalis) of administrative protection of the confidentiality of spatial information

**Key words:** directive, law, decree, confidentiality, degree of confidentiality, classification, spatial information, documents, evidence, protection, security.

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## INTRODUCTION

The protection of the confidentiality of the information is very important for the security of the social activities when the confidential information are used. All of those information are of the interest of the state. Information of the interest of Republic of Macedonia are is “any information produced by a state body, body of a unit of the local self-government, public enterprise, public institution and service, legal entity and natural person, as well as foreign state body, foreign legal entities and natural persons, related to the security and defense of the state, its territorial integrity and sovereignty, constitutional order, public interest, freedoms and rights of the human and the citizen”.<sup>2</sup> The spatial information are especially of the great importance for national defense and security system of the state. As such information those are legally protected by law. That is the Law on Classified Information

All confidential spatial informations of the interest of the Republic of Macedonia are subjected to classification which is regulated by national Law on Classified Information. Before the Law on Classified Information was passed, the issue on protection of classified information was mainly regulated by by-laws related to defence and security, as well as to other areas of particular interest to the national security of the State.

The passing of the Law on Classified Information with by-laws regulation on the protection of the confidentiality of the information signify the finalization of the legal and sublegal framework concerning the protection of the classified information in the Republic of Macedonia. The standard of the directives on the European Union have been properly built in all of that regulation and they correspond to the related regulation in most of the European countries.

Among other European Union directives, in macedonian Law's and by-laws normative regulation, the standards of the Directive 200/2/ EC of the European Parliament and of the Council on establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) are incorporated.

According article 13 of the Directive, Member States may limit public access to many spatial data sets and services where such access would adversely affect any of the following state or social values: the confidentiality of proceedings of public authorities where such confidentiality is provided by law; international relations, public security or national defence; the course of justice, the ability of any person to receive a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature; the confidentiality of commercial or industrial information, where such confidentiality is provided by national or Community law to protect a legitimate economic interest, including the public interest in maintaining statistical confidentiality and tax secrecy; intellectual property rights; the confidentiality of personal data and/or files relating to a natural person where that person has not consented to the disclosure of the information to the public, where such confidentiality is provided by national or Community law; the interests or protection of any person who supplied the information requested on a voluntary basis without being under, or capable of being put under, a

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<sup>2</sup> Definition from the Law on Classified Information, Official Gazette of the Republic of Macedonia” no. 9/2004.

legal obligation to do so, unless that person has consented to the release of the information concerned; the protection of the environment to which such information relates, such as the location of rare species.

According to the Law of Classified Information by link with Law on Real Estate Cadastre (article 33) the protection of the confidential spatial information include the measures on administrative security, measures on physical security, measures of personal security, measures on information security, and measures on industrial security.<sup>3</sup>

The Law on Real Estate Cadastre proscribes legal security of information. Administrative security is a form of legal security. It contains the normative regulation on the measures of the protection of confidential information, and the measures on administrative security.

### **1. Normative regulation on the measures of the protection of confidential information**

Normative regulation on the measures of the protection of confidential information in the Republic of Macedonia is in the competence of the Government of the Republic as a higher political, executive and administrative state body.<sup>4</sup> The Government is empowered by law to pass decrees on administrative security of classified information, on physical security, on personal security, on information security and decree on industrial security on classified information. The Government has passed these normative acts.

By Decree on Administrative Security of Classified Information,<sup>5</sup> the measures and activities for administrative security of classified information, to be implemented by the state bodies, public institutions and services, organs of the units of the local self-government and other legal entities and natural persons are regulated. Those measures are elaborated by this paper.

Decree on Physical Security of Classified Information<sup>6</sup> regulates the measures and activities for physical security for protection of classified information, such as assessment of the possible security infringement of classified information with intrusion and unauthorized access to, use and disposal of the classified information; establishing a security area around the facility; definition of security and administrative zones; organizing physical security and application of technical and other security devices for buildings and rooms where classified information is held; issuing clearances for access to buildings and rooms; control of entry, movement and exit of individuals and vehicles for transportation of classified information and transportation of those information outside the security zones.

Decree on Personal Security of Classified Information<sup>7</sup> is dedicated to regulation on the measures and activities for security of personnel using classified information, such as, identification of authorized persons for work and handling

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<sup>3</sup> Article 25 – 29 of the Law on Classified Information

<sup>4</sup> Ibid, Article 30.

<sup>5</sup> “Official Gazette of the Republic of Macedonia”, no.84/04

<sup>6</sup> Ibid.

<sup>7</sup> “Official Gazette of the Republic of Macedonia”, no.84/04

9. Ibid, no. 16/05.

classified information; responsible handling of classified information; security vetting; issuing security clearances; issuing access permits for classified information; and verifying and evaluation of the ability to handle classified information.

By Decree on Information Security<sup>8</sup> (INFOSEC) the Government regulates the measures and activities for information security of classified information in electronic forme, as: certification of communication and information systems and processes; assessment for possible security infringement of the classified information by intrusion in the information system, and use and destruction of the classified information processed and stored in communication and information systems; definition of methods and security procedures for reception, processing, transmission, storing and archiving of electronic classified information; protection of the information in the course of the processing and storing of classified information in the communication and information systems and suchlike

Decree on Industrial Security of Classified Information<sup>9</sup> regulates the measures and activities for industrial security of those information, such as protection from misplacing or compromising of classified information contained in industrial agreements; protection from misplacing or compromising of classified information in consortia and mixed enterprises with foreign legal entities and natural persons; ensure protection during transportation of classified information etc.

## **2. Administrative security of spatial information**

Administrative security of the confidentiality of spatial information in the Republic of Macedonia bases on the general norm in article 33 of the Law on Real Estate Cadastre<sup>10</sup> and on the special norms of the Law on Classified Information and on the Decree on Administrative Security of Classified Information.<sup>11</sup> According to the Law on Classified Information and the Decree, administrative security contains the measures of classification of the confidential information and mesures of protecting of the classified information.

### **2.1. Classification of the information**

Classification of the information is administrative proces with whom the level of protection of the information that should match the degree of the damage that would result for the Republic of Macedonia from unauthorized access to that information or its unauthorized use.<sup>12</sup> Direct result of the clasificiation of the confidential information are

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<sup>8</sup> Ibid.

<sup>10</sup> According this article the Agency for Real Estate Cadastre shall undertake legal, organizational and technologic procedures and measures to secure the paper and electronic GCIS data in order to prevent illicit acquisition, processing, safeguarding, use or transfer of data, accidental or intentional change or destruction of the data, as well as illegal reallocation of the data outside the Agency's premises.

<sup>11</sup> "Official Gazette of the Republic of Macedonia" no. 87/04.

<sup>12</sup> See, Article 3, of the Law on Classified Information, "Official Gazette of the Republic of Macedonia", no. 9/04.

13. Article 5, point 3.

the information with a legal status of classified information. According to the Law, classified information is any information determined to require protection against unauthorized access or use and which has been so designated by a security classification.<sup>13</sup>

Object of the classification are the information that particularly refer to: public security; defense; foreign affairs; security, intelligence and counter intelligence activities of the state administration bodies of the Republic of Macedonia; systems, devices, projects and plans of importance for the public security, defence, foreign affairs; scientific research; technological, economic and financial affairs of importance for the Republic.

According to the Law, the classification of confidential information are granted according to its contents.

The levels of classification are follows: “Top Secret”, “Secret”, “Confidential” and “Restricted”.

The information classified “Top Secret” is an information the unauthorized disclosure of which would put in jeopardy and cause irreparable damage to the permanent interests of the Republic of Macedonia, such as: to threaten directly the constitutional order, independency and territorial integrity of the Republic; to threaten directly the internal stability of the Republic; to lead to massive loss of human lives; to cause irreparable damages to the operative efficiency or security of the Republic or to the efficiency of particularly valuable defense, security or intelligence related operations or to operations conducted to handle unconventional threats, especially terrorism; irreparable damages to the basic freedoms and rights of the man and the citizen, the democracy and rule of law; irreparable damages to the development and progress of the economy in the Republic, to the protection of property, freedom of markets and entrepreneurship, humanism, social justice and solidarity; irreparable damages to the protection and development of the living environment of the Republic; to inflict severe and long consequences to the promotion and development of the local self-government in the Republic; and to impose a direct threat against the achievement of the aims of the international politics of the Republic or to cause irreparable damages to the international relations of the Republic or to the relations of a foreign country or an international organization with the Republic of Macedonia.

Competent state bodies for classification the information with a level of “Top Secret” are the President of the Republic of Macedonia, the President of the Assembly of the Republic, the President of the Government of the Republic, the President of the Constitutional Court of the Republic, the President of the Supreme Court of the Republic of Macedonia, the ministers within their sphere of activity, the Public Prosecutor of the Republic of Macedonia, the Chief of the General Staff of the Army of the Republic, the Director of the Intelligence Agency, the Director of the Directorate for Security of Classified Information and the persons authorized by them in written.<sup>14</sup>

Information classified by the level “Secret” can be the information whose the unauthorized disclosure or use of which would damage the vital interests of the Republic, such as: to cause exceptionally serious damages to the independence and territorial integrity of the Republic; exceptionally serious damages to the state identity of the Republic by free expression of the ethnical identity of all citizens; to threaten directly the life or to affect exceptionally seriously the public order or the personal

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<sup>14</sup> Article 10 of the Law on Classified Information.

security and freedom of the man and the citizen; to cause exceptionally serious damages to the operative efficiency or security of the Republic or to the efficiency of particularly valuable defence, security or intelligence related operations or to operations conducted to handle unconventional threats, especially terrorism; exceptionally serious material damages to the financial, monetary and economic interests of the Republic; exceptionally serious damages to the living environment in the Republic; exceptionally serious damages to the promotion and development of the local self government in the Republic; exceptionally serious damages to the achieving of the aims of the international politics or the international relations of the Republic or to the relations of a foreign country or an international organization with the Republic of Macedonia; and to cause pressure by the international community on the Republic.<sup>15</sup>

The classification of the information with the level “Secret” is in the competence of state bodies, bodies of the units of the local self-government and other institutions that is of interest to the public security, defence, foreign affairs and the security, intelligence and counter intelligence activities of the state administration bodies of the Republic of Macedonia.

The information classified “Confidential” is an information created by the state bodies, bodies of the units of the local self government and other institutions that is of interest to the public security, defence, foreign affairs and the security, intelligence and counter intelligence activities of the state administration bodies of the Republic of Macedonia. The unauthorized disclosure of those information would result in serious damage to the interests of importance for the Republic of Macedonia.

With a classification level “Confidential” can be classified information the unauthorized disclosure or use of which would damage the important interests of the Republic of Macedonia, such as: to cause serious damages to the peace, democratic foundations of the legal state and the development of the multiethnic society; to the life, health, property and personal security or the freedom of the man and the citizen; to the operative efficiency or security of the Republic or to the efficiency of valuable defence, security or intelligence related operations or to operations conducted to handle unconventional threats, especially terrorism; serious damages or to be significantly in contradiction with the financial, monetary and economic interests of the Republic; serious damages to the living environment in the Republic; to the promotion and development of the local selfgovernment in the Republic; serious damages or to be significantly in contradiction with the political and defence integration of the Republic in NATO, with the economic and security integration in the European Union or in other collective defense systems; to prevent seriously the development or the operations determined in the international agreements that the Republic has concluded with foreign countries or international organizations; to cause serious material damages to the international relations of the Republic, by initiating formal demonstrations or other sanctions; and to stop or significantly prevent in other way the important activities of the Republic at the international sphere or the activities of a foreign country, of an international organization related to the cooperation with the Republic of Macedonia.<sup>16</sup>

The information classified “Restricted” are information the unauthorized disclosure of which would result in damage of the work of the state bodies, bodies of the units of the local self-government and other institutions that is of interest to the

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<sup>15</sup> Article 2, paragraph 4 of the Decree on Administrative Security of Classified Information

<sup>16</sup> Article 2, par. 5 of the Decree.

public security, defense, foreign affairs and the security, intelligence and counter intelligence activities of the state administration bodies of the Republic of Macedonia.

The restricted classification level can be assigned only to the information the unauthorized disclosure or use of which would damage the work and efficiency of the organs in the Republic of Macedonia, such as: to cause damages or to affect the conditions for enhancing and maintaining the internal political stability, security and operational efficiency of the Republic; significant suffering of people; to damage the developing of a righteous, social state with equal possibilities for all citizens; to downgrade the political, financial, monetary, economic and commercial negotiations of the Republic; to stop the development or the operations determined with the bilateral or multilateral agreements that the Republic has concluded with foreign countries or international organizations; to cause financial losses or enable inappropriate achievements or advantages of the legal entities or natural persons; to have a negative influence on the preserving and protection of the living environment; to undermine the activities of the Republic related to the maintaining and enhancing peace, stability, security and all other forms of cooperation with the neighbours, in the region, in Europe and in the world, as well as the activities related to the prevention and development of instruments for early warning of tensions and crises in order to enable their timely and efficient resolution by peaceful means; to undermine the activities of the Republic for preserving and development of the international order based on righteousness, mutual respect of the international order founded on the international law, as well as the political and economic equality of the countries; and to have a negative influence on the international relations of the Republic or on the relations of a foreign country or international organization with the Republic of Macedonia.<sup>17</sup>

The classification for the information and the assignment of the level of classification exercise by the proposal of its immediate originator. All users of the information have to be informed about the classification of the unclassified information, as well as about the reclassification and declassification of the classified information. About it, on the classified document, the originator of the classified information has to indicate the date or the period after which the contents of the classified information contained therein may be reclassified or declassified.

The Law on Classified Information proscribe legal possibility for protecting information which can not be classified according above named criteria for classification, but the disclosure of those information can result in decreased efficiency of the work of the state bodies. Those information shall be marked with "For Limited Use". We can nominate those possibility as additional level of classification. In cadastral working with a spatial information there are a number of information for which are not intended for public use, and which can not be classified according criteria for classification. The officials in cadastral area can use this legal possibility to create an administrative base for protection those information.

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<sup>17</sup> Article 2, paragraph 6 of the Decree on Administrative Security of Classified Information

## **2.2. Measures of administrative protecting of classified information**

Measures of administrative protecting of classified information in the Republic of Macedonia are enumerated by the Law on Classified Information and detailed prescribed by the Decree of Administrative Security of Classified Information. The Law on Real Estate Cadastre did not proscribe special measures for administrative protecting of classified spatial information. Using the method of extensive interpretation of the article 33 of this law we can use the norms contained in the Law on Classified Information and in the Decree on Administrative Security of Classified Information.

According to the Law on Classified Information those measures are following: receipt and recording of the classified information; safekeeping of and handling; reproductions, translations and excerpts of the classified information and designation of the number of copies and the users; control and handling of the classified information during its dissemination and distribution; prevention of unauthorized takeout, disclosure and security breaching; prevention of compromises and disposal and destruction of the classified information.

### **2.2.1. Receipt and recording of the classified information**

According to the Decree, receipt and recording of classified information produced in the Republic of Macedonia shall be done by the organizational units of the organs authorized to work with classified information. Receipt and recording of classified information released to the Republic by foreign countries or international organizations or the one that the Republic has released to foreign countries or international organizations shall be done by the Directorate for Security of Classified Information and the registries and control points as organizational units of the organs (“organizational units”).

Classified information have to be registered in a special log-book, which is a book for keeping basic records.

The “Top Secret” and “Secret” information should be registered in one log-book, and the information classified “Confidential” and “Restricted” in another log-book.

Besides in the log-book, classified information should also be registered in supplementary record books. Supplementary record books are: inventory of documents, register, internal delivery book, book for registered mail and book for location.

The unclassified information produced in the Republic of Macedonia, as well as the foreign unclassified information, shall be recorded in a separate logbook, set aside from the other information without classification level.

### **2.2.2. Storing, handling and control of classified information**

Classified information produced in the Republic of Macedonia or released to the Republic by a foreign country or an international organization or which the Republic has released to a foreign country or an international organization, shall be handled, stored and controlled by the organizational units of the competent state bodies.

The organizational units shall keep records of the receipt, transmitting and destruction of the classified information that they have been authorized to handle.



The title of the organizational unit or the name of the natural person in possession of that classified information should be indicated in the log-book.

Classified information may be stored in paper copy, as microfilm or on computer storage media.

Natural persons and juristic persons who use and handle shall to have a security clearance for using and handling confidential information. Directorate for Security of Classified Information issues security clearances to natural and juristic persons for an appropriate level of classified information after submitted a written request to the Directorate and after previous security vetting.<sup>18</sup>

Information classified by “Top Secret” have a special regime for handling, storing and control. Those information shall be handled with, stored and controlled by the competent organizational units, particularly authorized for handling, storing and control of such classified information.

The organizational units authorized to handle, store and control information classified “Top Secret” shall appoint authorized persons to control the classified information.

According to the special regime of storing and control to those information at least once a year, the organizational units shall make an inventory of all information classified “Top Secret” at their availability.

Availability of a document classified “Top Secret” means: such document to be physically present in the organizational unit and to contain the precise number of pages; to have a receipt confirmation by another competent organizational unit to which the document has been transmitted; and to have a confirmation about the change of classification level or the declassification of the document, or about its destruction.

Annual report of the inventory results concerning the foreign information classified “Top Secret” should be submitted to the state’s Directorate for Security of Classified Information.

### **2.2.3. Reproductions, translations and extracts of classified information (documents)**

The Decree regulate that copies, reproductions and translations of documents classified “Secret” and below may be produced by the user and under his constant supervision. The number of copies, reproductions and translations shall be determined under observation of the need-to know principle. Security measures laid down for the original document should be applied to such copies, reproductions and translations. If classified “Secret”, each copy shall be marked with identifying copy numbers. The

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<sup>18</sup> Security clearance for access to and use of classified information of any level of classification, without previous security vetting, for the purpose of accomplishing the official function from the day of election until the end of the mandate, shall be issued to: the President of the Republic of Macedonia, the President of the Assembly of the Republic of Macedonia, the President of the Government of the Republic of Macedonia, the Deputy of the President of the Government of the Republic of Macedonia, the President of the Constitutional Court of the Republic of Macedonia and the President of the Supreme Court of the Republic of Macedonia.

number of reproductions and/or translations and their copy numbers shall be recorded as well.

According to special regime of storing, handling and control, Information classified “Top Secret” shall not, except in exceptional cases, be copied. Extra paper copies of such information shall normally be obtained, in paper copy, from the originator.

In exceptional cases, paper copies or translations of information classified “Top Secret”, including extracts and copies to or from machine readable media may be made for urgent mission purposes, provided that the copies or translations: are authorized by the authorized person for control of information classified “Top Secret” in the organizational units authorized to handle such classified information; are reported for recording to the organizational units authorized to handle such classified information; bear the reference and copy number of the original information together with the title/name of the originating authority and the title of the organizational unit authorized to handle such classified information where the copy of the information has been made; are marked with an identifying reproduction copy number locally assigned by the element making the reproduction or translation; display the “Top Secret” marking of classification and all other markings of the original information; and are brought under control of the authorized person in the organizational unit authorized to handle such classified information, and reported in the annual inventory along with other “Top Secret” information.

#### **2.2.4. Distribution and dissemination of classified information.**

According to the Decree, classified information shall be distributed to individuals who have a personnel security clearance at least commensurate to the classification level of the information made available to them, according to the need-to-know principle.

For this aim the originator shall make the initial list of identified users for distribution of the classified information.

The authorized persons in the organs responsible for the security of the classified information shall make lists of users, including higher officials and employees to whom, due to the nature of their official duties and based on the acts on the systematization of the positions in the organs, information classified “Secret” and above shall be distributed, according to the need-to-know principle.

Regarding documents classified “Secret” and lower those documents may be distributed from the initially indicated addresses, i.e. users, according to the need-to-know principle.

All possible restrictions on further distribution of such classified information shall be marked on the document itself. The marking of the caveat for further distribution shall be added immediately under the classification level, separated by a line.

In case of such a caveat, the initially identified users may distribute the documents to other users, provided authorization by the originator has been obtained.

Documents classified “Top Secret” shall be distributed through the competent organizational units that meet the standards required and that have been authorized to work with information classified “Top Secret”.

### **2.2.5. Transmission of classified information**

Transmission is very dangerous activity for the security of classified information. It shall be: internal (within sites or establishments); external (outside sites or establishments); in the country and outside the country.

To prevent undesirable events Decree prescribe that documents classified “Restricted” and above shall be transmitted in opaque cover, put in double envelopes.

The inner envelope shall be marked with security classification commensurate to the classification of the document and, if possible, it shall be appended with complete information on the position of the user and the address.

A receipt for the document to be distributed shall be prepared and placed in the inner envelope. The receipt, which shall not be classified, shall quote the reference number, date and copy number, but no reference to the contents of the document.

The inner envelope shall be placed in an outer envelope that shall bear the designation and the address of the addressee and the dispatch number of the letter/package. The outer envelope shall not indicate the security classification of the document to be transmitted.

Beside that, Decree prescribe a control measures on the packages with classified documents. The person authorized to control the letters/packages shall exercise control of the letters/packages containing classified information in the organizational units and that person may open the inner envelope and the receipt for the documents being transmitted, except in cases when the letter/package is addressed to personal name.

The person authorized to control the letters/packages may open only the outer envelope, while the inner envelope and the receipt for the documents may be opened only by the addressee.

The receipt of the letters/packages containing information classified “Restricted” and above shall be confirmed in a delivery book of the couriers and delivery officers with a signature of the person authorized for receipt, under the reference number of the letter/package.

In a site or an establishment, internal transmission of a classified document shall be done in a sealed envelope that quotes only the name of the addressee and it shall be carried by a person who has a security certificate for access to classified information with a security level at least commensurate to the classification level of the document being transmitted.

Inside the country, information classified “Top Secret” and lower, duly packed, shall be transmitted through an official delivery service or through persons with authorized access to information classified “Top Secret” and lower, who have a special authorization for transmission of such information.

According to the special regime of the protecting, the delivery service for transmission of information classified “Top Secret” should be manned appropriately to ensure that the transmission of letters/packages is under constant and direct supervision by the persons authorized for transmission.

In exceptional cases, documents classified “Top Secret” shall be transmitted outside a site or establishment by other officials, who are not couriers or who do not belong to an official delivery service, when there is a need for their use by other organs with a seat in the same location, provided: the deliverers of the classified information have authorized access to information classified “Top Secret”; the transmitting is in line with the regulations on transmission of such classified information; that person

constantly escorts the classified information; and arrangements are designed for transmission of the classified documents to the organs authorized to handle such classified information in order to regulate their storage and recording in the log-books and to check the recorded data when the classified documents are returned back.

Outside the country, documents classified “Top Secret” and lower shall be transmitted through: diplomatic pouch, military courier, official service of the Directorate or via electronic means, for information classified “Top Secret”. Personal carriage of such classified information outside the country shall be prohibited; diplomatic pouch, military courier, official service of the Directorate, another specially authorized delivery service, personal carriage or via electronic means, for information classified up to “Secret”.<sup>19</sup>

The person carrying the classified documents has to be briefed on the internal instructions of the organ for transmission of classified information.

### **2.2.6. Disposal and destruction of classified information**

Decree regulated the measures for elimination of classified information about those are not need od possibility to be in use.

Acording the Decree classified information which is no longer required for official purposes, including surplus or superseded information or physically damaged that cannot be used any longer, have to be destroyed according to the list of classified documented material with timelines for its storage.

Classified information should be destroyed in such a manner as to ensure that it cannot be reconstructed. Before destruction it should to prepare them. The preparation for destruction and the procedures for it should be done in accordance with the Law on Classified Information, the Law on Archive Material and other related regulations.

An inventory list have to be made for the classified documented material prepared for destruction that will quote all the relevant data for identification of the classified information.

The destruction should be confirmed by a certificate to be kept together with the destruction inventory list. This certificates and inventory lists should be made in a manner to enable possible damage assessment or conduct a security investigation into the compromise or loss of classified information.

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<sup>19</sup> Transmission of classified document outside the country requires: official stamp on the package, i.e. the package to be packed in a manner to indicate that it is an official consignment and it should not undergo customs or security scrutiny; the courier shall carry a courier certificate recognised by the nation(s) where he is travelling through, clearly identifying the package and authorising him to carry the package; the courier’s travelling arrangements shall ensure avoidance of countries that represent a risk for his life or personal security and for the package, as well as of risky transportation and transportation means. In exceptional cases, those restrictions may be waived if urgent operational requirements cannot be otherwise met.

### **2.2.7. Measures in the case of compromise, unauthorized release and breaches of security of information**

All breaches of security of classified information should be reported in written form to the authorized person in the organ responsible for protection of such information - the Security Officer.

There are specialised security officers in the organizational structure of the Ministry of Defense and of the Ministry of Interior, but there are not in other state bodies. State bodies in the area of Defence use for those issues security officers from the Ministry of Defence, other state bodies use security officers from the Ministry of Interior.

The Security Officer shall immediately inform the official/head of the organ responsible for protection of such information for the breach of security of the classified information. Consequently the official shall decide on the determination of the degree of the breach of security of the classified information and the possible unauthorized disclosure, compromise or release.

The determining of the degree of the breach of security of the classified information shall be investigated by individuals who have security and investigative experience, and who are independent of those individuals immediately concerned with the breach of security of the classified information.

If the procedure for determining the degree of the breach of security of the classified information confirms that the breach of security of the information has not caused damages, the official/head of the organ responsible for protection of such information, may decide to stop further investigations for the breach of security of the information.

The breach of security should be reported to the originator at the same time. If the originator is not known, or it is difficult to be determined, the obligation to inform him shall be transferred to the official/head of the organ responsible for protection of the classified information that has been subject to the breach, i.e. the Directorate for Security of Classified Information.

The final report on the breach of security of the classified information shall be forwarded to the official/head of the organ responsible for protection of the classified information subject to compromise, i.e. to the Directorate.

The report to the originator of the classified information for its compromising, unauthorized release and breach of security shall be comprehensive in order to enable him to make a threat assessment and to undertake the necessary or regular remedial activities.

The report of the assessment of the type and extent of the damage and of the taken remedial activities and corrective measures shall be forwarded to the official/head of the organ responsible for protection of the classified information subject to compromise, i.e. to the Directorate.

When the final report of the investigation shows that a classified document has been irretrievably lost and that has not caused any damages, the official/head of the organ responsible for protection of the classified information, may grant relief from accountability to the persons responsible for the protection of the classified information.

## Conclusions

The protection of the confidential spatial information is very complex and very important activity in the cadastral working. It contains very complex and very composed measures, such as measures for regular classification of the spatial information, according to the degree of the confidentiality (secrecy), measures for secure receipt and recording of classified data; secure storing, handling and control of classified information; secure reproductions, translations and extracts making from the documents which contain classified information; secure distribution and dissemination of documents; secure transmission of documents disposal and destruction of classified information and measures which should be taken in the cases of compromises, unauthorized release and breaches of security of documents which contain classified spatial information.

Administrative protection of the confidentiality of the spatial information contains the administrative procedures of those measures which the competent state bodies undertake according to the Law on Classified Information and The Decree on Administrative Security of Classified Information.

The standards for administrative protection of the confidential information proscribed by Law and the Decree are quite compatible with standards which have been proscribed by a number of regulations and ratified international documents, especially with a directives of the European Union such as Directive of the European Parliament and of the Council for Establishing an Infrastructure for Spatial information in the European Community (INSPIRE).

In the Law and Decree, Republic of Macedonia has very quality normative regulation for an effective administrative protection of the classified information from all areas of social life, and normally for effective protection of spatial information.

There are many confidential spatial information, especially in the area of public security and national defence. The regulations for administrative protection contained in the Law and Decree is completely according with the needs for protection of confidential information in those areas of social life in the Republic of Macedonia, registered by relevant cadastral offices.

The Law of Real Estate Cadastre contains the norms for protection of the information contained in it. Those norms enable completely use of the regulations contained in the Law and Decree for administrative protection of the confidential spatial information.

Having in view above exposed statements, we may conclude without doubt, that Republic of Macedonia has a completely arranged normative regulation system for administrative protection of the confidential information in the area of the cadastral evidence of the spatial information.

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