

**PROTOCOL ON INSPECTIONS AND CONTINUOUS MONITORING
ACTIVITIES RELATING TO THE TREATY BETWEEN THE UNITED STATES
OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE
REDUCTION AND LIMITATION OF STRATEGIC OFFENSIVE ARMS**

Pursuant to and in implementation of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, hereinafter referred to as the Treaty, the Parties hereby agree upon procedures governing the conduct of inspections and continuous monitoring activities provided for in Article XI of the Treaty.

I. General Obligations

For the purpose of helping to ensure verification of compliance with the provisions of the Treaty, each Party shall facilitate the conduct of inspections and continuous monitoring activities by the other Party in accordance with the provisions of this Protocol.

II. Provisions Concerning the Legal Status of Inspectors, Monitors, and Aircrew Members

1. Inspections and continuous monitoring activities shall be conducted by inspectors and monitors. Except as provided for in paragraph 6 of Section IV of this Protocol, inspectors and monitors shall be transported to the territory of the inspected Party by inspection airplanes. Inspectors and monitors, as well as aircrew members that operate these airplanes, shall be assigned in accordance with paragraphs 2, 3, 4, and 5 of this Section and subject to provisions of the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Early Exchange of Lists of Inspectors, Monitors, and Aircrew Members of July 31, 1991.

2. The list of inspectors shall not contain at any one time more than 400 individuals, and the list of monitors shall not contain at any one time more than 300 individuals. The number of individuals on the list of aircrew members shall not be limited. Inspectors and monitors shall be citizens of the inspecting Party. The Parties shall have the right to change, by mutual agreement, the number of inspectors and monitors that each of these lists may contain. For each proposed inspector, monitor, and aircrew member, the lists shall contain first name, middle name or patronymic, and last name; day, month, and year of birth; city, state or oblast, and country of birth; and passport number, if available.

3. Each Party shall have the right to inform the other Party of its agreement with, or objection to, the designation of each inspector, monitor, and aircrew member proposed, by providing a notification in accordance with paragraph 21 of Section III of this Protocol.

4. Subject to the provisions of paragraph 2 of this Section, each Party shall have the right to amend its lists of inspectors, monitors, and aircrew members no more than once in each 21-day period, by providing the other Party with a notification in accordance with paragraph 20 of Section III of this Protocol. With

each change, the number of inspectors whose names are entered in the list of inspectors shall not exceed 30, the number of monitors whose names are entered in the list of monitors shall not exceed 25, and the number of aircrew members whose names are entered in the list of aircrew members shall not exceed 25. The Party receiving notification of an amendment to the list of inspectors, monitors, or aircrew members shall provide notification to the other Party, in accordance with paragraph 21 of Section III of this Protocol, of its agreement with or objection to the designation of each such inspector, monitor, or aircrew member.

5. No later than 25 days after entry into force of the Treaty, or no later than 30 days after receipt of a notification of amendments to the lists of inspectors, monitors, or aircrew members, the Party receiving such lists or proposed amendments thereto shall provide visas and, where necessary, such other documents to each individual to whom it has agreed, as may be required to ensure that each inspector, monitor, or aircrew member may enter and remain in the territory of that Party throughout the in-country period. The inspected Party shall ensure that such visas and appropriate documents shall be valid for a period of at least 24 months, and the inspecting Party shall ensure that persons receiving such visas and appropriate documents shall use them only for the purpose of conducting inspections or continuous monitoring activities in accordance with the provisions of this Protocol.

6. An individual on the list of inspectors may be objected to only if that individual is under indictment for a criminal offense on the territory of the inspected Party or if that individual has been convicted in a criminal prosecution or expelled by the Party reviewing the list. An individual on the list of monitors or aircrew members may be objected to if that individual is found unacceptable by the Party reviewing the list. The Party making such an objection shall so notify the other Party in accordance with paragraph 21 of Section III of this Protocol. Individuals who are objected to shall be deleted from the lists. In the event the inspected Party subsequently determines that an inspector, monitor, or aircrew member of the other Party is under indictment for a criminal offense on the territory of the inspected Party or has ever been convicted in a criminal prosecution or expelled by the inspected Party, or has violated the conditions governing the conduct of inspections or continuous monitoring activities provided for in this Protocol, the inspected Party making such determination may so notify the inspecting Party in accordance with paragraph 22 of Section III of this Protocol. In the event that the inspecting Party is so notified, that Party shall promptly recall that individual from the territory of the inspected Party, if that individual is there at such a time. The inspecting Party shall also delete the individual from the list of inspectors, monitors, or aircrew members.

7. In order to exercise their functions effectively, for the purpose of implementing the Treaty and not for their personal benefit, the inspectors, monitors, and aircrew members shall be accorded the following privileges and immunities:

- (a) Inspectors, monitors, and aircrew members shall be accorded the inviolability enjoyed by diplomatic agents in accordance with Article 29 of the Vienna Convention on Diplomatic Relations of April 18, 1961.

- (b) The office premises, except for those in the operations center, and living quarters for monitors shall be accorded the inviolability and protection accorded to the premises of the mission and private residences of diplomatic agents in accordance with Articles 22 and 30 of the Vienna Convention on Diplomatic Relations.
- (c) The papers and correspondence of inspectors, monitors, and aircrew members shall enjoy the inviolability accorded to the papers and correspondence of diplomatic agents in accordance with Article 30 of the Vienna Convention on Diplomatic Relations.
- (d) Inspection airplanes shall be inviolable. This shall not affect airplanes making regularly scheduled commercial flights that are used for the transportation of inspectors and monitors to points of entry, or their aircrews.
- (e) Inspectors, monitors, and aircrew members shall be accorded the immunities accorded diplomatic agents in accordance with paragraphs 1, 2, and 3 of Article 31 of the Vienna Convention on Diplomatic Relations. The immunity from jurisdiction with respect to an inspector, monitor, or aircrew member may be waived by the inspecting Party in those cases when it is of the opinion that immunity would impede the course of justice and that it can be waived without prejudice to the implementation of the provisions of the Treaty. Waiver must always be express.
- (f) Monitors shall be accorded the exemption from dues and taxes accorded to diplomatic agents in accordance with Article 34 of the Vienna Convention on Diplomatic Relations.
- (g) Inspectors, monitors, and aircrew members of a Party shall have the right to bring into the territory of the other Party, without payment of any customs duties or related charges, articles for their personal use, with the exception of articles, the import or export of which is prohibited by law or controlled by quarantine regulations.
- (h) If the inspected Party considers that there has been an abuse of privileges and immunities provided for in this paragraph, consultations shall be held between the Parties to determine whether such an abuse has occurred. If it is determined that such an abuse has occurred, the inspecting Party shall take necessary measures to prevent a repetition of such an abuse.

The privileges and immunities provided for in this paragraph shall be accorded for the entire time the inspectors, monitors, or aircrew members are within the territory of the other Party, and thereafter with respect to acts previously performed in the exercise of their official functions. During their stay in the territory of the inspected Party, without prejudice to the privileges and immunities provided for in this paragraph, inspectors, monitors, and aircrew members shall be obliged to respect the laws and regulations of the inspected Party, shall be obliged not to interfere in its internal affairs, and shall not engage in any

professional or commercial activity for personal profit on the territory of the inspected Party.

III. Notifications Concerning Inspections and Continuous Monitoring Activities

1. Each Party shall provide to the other Party the notifications provided for in this Section concerning inspections and continuous monitoring activities pursuant to Article VIII of the Treaty.

2. Notification of the standing diplomatic clearance number for inspection airplanes shall be provided no later than 30 days after entry into force of the Treaty, for the period until the end of the current calendar year, and subsequently no less than 30 days prior to the beginning of each following calendar year, and shall include:

- (a) standing diplomatic clearance number; and
- (b) calendar year.

3. Notification of an intention to conduct an inspection pursuant to paragraph 2, 3, 4, 5, 6, 7, or 10 of Article XI of the Treaty, shall be provided no less than 16 hours in advance of the estimated time of arrival of the inspection team at the point of entry from outside the territory of the inspected Party and shall include:

- (a) the point of entry;
- (b) the date and estimated time of arrival at the point of entry;
- (c) the date and time for the designation of the inspection site and the type of inspection; and
- (d) the names of inspectors and aircrew members.

4. The date and time for the designation of the inspection site and the type of inspection shall be specified in the notification provided in accordance with paragraph 3 of this Section subject to the following conditions:

- (a) For an inspection conducted pursuant to paragraph 2 or 4 of Article XI of the Treaty, the date and time for such designation shall be neither less than four hours nor more than 48 hours after the date and estimated time of arrival at the point of entry.
- (b) For an inspection conducted pursuant to paragraph 3, 5, 6, or 10 of Article XI of the Treaty, the date and time for such designation shall be neither less than four hours nor more than 24 hours after the date and estimated time of arrival at the point of entry.
- (c) For an inspection conducted pursuant to paragraph 7 of Article XI of the Treaty, the date and time for such designation shall be no

more than 48 hours after the notification of the completion of an exercise dispersal of mobile launchers of ICBMs and their associated missiles has been provided in accordance with paragraph 12 of Section II of the Notification Protocol, or no more than four hours after the date and estimated time of arrival at the point of entry, whichever is earlier.

5. Notification of an intention to conduct an inspection pursuant to paragraph 8, 9, 11, 12, or 13 of Article XI of the Treaty shall be provided no less than 72 hours in advance of the estimated time of arrival of the inspection team at the point of entry from outside the territory of the inspected Party and shall include:

- (a) the point of entry;
- (b) the date and estimated time of arrival at the point of entry;
- (c) the inspection site and the type of inspection; and
- (d) the names of inspectors and aircrew members.

6. Notification of an intention to replace inspectors conducting an inspection pursuant to paragraph 8 of Article XI of the Treaty shall be provided no less than seven days in advance of the estimated time of arrival of replacement inspectors at the point of entry from outside the territory of the inspected Party and shall include:

- (a) the point of entry;
- (b) the date and estimated time of arrival at the point of entry;
- (c) the inspection site;
- (d) the names of the incoming replacement inspectors and outgoing inspectors being replaced, including the name of the incoming inspection team leader, if such a replacement is planned; and
- (e) the names of aircrew members.

7. Notification of an intention to conduct a sequential inspection, as provided for in paragraph 36 or 37 of Section VI of this Protocol, shall be provided in writing through a member of the in-country escort and shall specify:

- (a) for an inspection conducted pursuant to paragraph 2, 3, 4, 5, 6, 7, or 10 of Article XI of the Treaty, whether the inspection team intends to go directly to the next inspection site or return first to the point of entry; or
- (b) for an inspection conducted pursuant to paragraph 8, 9, 11, 12, or 13 of Article XI of the Treaty, the next inspection site.

8. Notification of the date and time for the designation of the next inspection site and the type of inspection as provided for in paragraph 36 of Section VI or paragraph 19 of Section IX of this Protocol, shall be made in writing through a member of the in-country escort.

9. The date and time for the designation of the inspection site and the type of inspection shall be specified in the notification provided in accordance with paragraph 8 of this Section, subject to the following conditions:

- (a) If such notification is provided at the inspection site, the date and time for such designation shall be:
 - (i) no earlier than 18 hours after commencement of the period of inspection, except for cases where the notification is provided pursuant to paragraph 19 of Section IX of this Protocol;
 - (ii) no earlier than the completion of post-inspection procedures; and
 - (iii) no later than 12 hours after the completion of post-inspection procedures.
- (b) If such notification is provided at the point of entry, the date and time for such designation shall be no earlier than four hours and no later than 24 hours after the return of the inspection team to the point of entry.

10. Notification of an intention to establish a perimeter and portal continuous monitoring system at a facility subject to continuous monitoring and of an intention to conduct an engineering site survey at such a facility, shall be provided no less than 30 days in advance of the estimated date of arrival at the point of entry of the monitoring team and engineering site survey equipment and shall include:

- (a) the specification of the facility;
- (b) the point of entry;
- (c) the date and estimated time of arrival at the point of entry, and the preferred time of departure for the facility from the point of entry; and
- (d) the names of the members of the monitoring team and aircrew members.

11. Notification of the date of commencement of continuous monitoring at a facility specified in the notification provided in accordance with paragraph 10 of this Section and of the initial arrival of monitors at that facility to carry out continuous monitoring, shall be provided no less than 30 days in advance of the estimated date of arrival of monitors at the point of entry and shall include:

- (a) the specification of the facility;
- (b) the date when the procedures for continuous monitoring at that facility will commence;
- (c) the point of entry;
- (d) the date and estimated time of arrival at the point of entry, and the preferred time of departure for the facility from the point of entry; and
- (e) the names of the monitors and aircrew members.

12. Notification containing a request for logistic support for a facility specified in a notification provided in accordance with paragraph 10 of this Section shall include:

- (a) the specification of the facility; and
- (b) the request for logistic support in accordance with paragraph 19 of Section XVI of this Protocol.

13. Notification of an intention to enter the territory of the other Party to establish a perimeter and portal continuous monitoring system at a facility specified in a notification provided in accordance with paragraph 10 of this Section, shall be made no less than seven days in advance of the estimated date of arrival of the monitors at the point of entry, if monitors that carry out continuous monitoring are present at that facility, and no less than 30 days in advance of the estimated date of arrival of the monitors at the point of entry, if no monitors that carry out continuous monitoring are present or have been present at that facility and shall include:

- (a) the point of entry;
- (b) the date and estimated time of arrival at the point of entry, and the preferred time of departure for the facility from the point of entry;
- (c) the specification of the facility; and
- (d) the names of the monitors and aircrew members.

14. Notification of an intention to enter the territory of the other Party to replace monitors at a facility specified in a notification provided in accordance with paragraph 11 or 13 of this Section, shall be provided no less than seven days in advance of the estimated date of arrival of the monitors at the point of entry and shall include:

- (a) the point of entry;
- (b) the date and estimated time of arrival at the point of entry, and the preferred time of departure for the facility from the point of entry;

- (c) whether the replacement shall be at the facility subject to continuous monitoring or monitored facility, or at the airport associated with such a facility;
- (d) the specification of the facility;
- (e) the names of the incoming monitors and aircrew members; and
- (f) the number of monitors to be replaced.

15. Notification of an intention to enter the territory of the other Party to maintain a perimeter and portal continuous monitoring system at a facility or facilities specified in a notification provided in accordance with paragraph 13 of this Section, shall be provided no less than seven days in advance of the estimated date of arrival of the monitors at the point of entry and shall include:

- (a) the point of entry;
- (b) the date and estimated time of arrival at the point of entry, and the preferred time of departure for the facility from the point of entry;
- (c) the specification of the facility or facilities; and
- (d) the names of the monitors and aircrew members.

16. Notification of an intention to move to another facility at which monitors are present, or to leave the territory of the inspected Party shall be provided no less than 48 hours in advance of the preferred time of departure, through a member of the in-country escort at the facility from which the monitors will leave, and shall include:

- (a) the preferred time of departure;
- (b) the destination;
- (c) the names of monitors;
- (d) for the movement to another monitored facility, the purpose of travel; and
- (e) the equipment and supplies to be transported by the monitors.

17. Notification of an intention to use an inspection airplane in accordance with paragraph 4 of Section IV of this Protocol shall be provided no less than 20 days in advance of the estimated date of its arrival at the point of entry or airport associated with the facility subject to continuous monitoring or monitored facility, and shall include:

- (a) the type of airplane;

- (b) the specification of all the facilities subject to continuous monitoring or monitored facilities for which the equipment and supplies are intended;
- (c) the point of entry or the airport associated with the facility subject to continuous monitoring or monitored facility;
- (d) the estimated date of arrival at the point of entry or at the airport associated with the facility subject to continuous monitoring or monitored facility;
- (e) for each facility specified in subparagraph (b) of this paragraph, the approximate number of separate palletized or oversize units of cargo, including modular structures, and the approximate weight and dimensions of each such unit of cargo; and
- (f) the type and approximate amounts of hazardous materials carried on the airplane that require special safety measures in transportation and handling.

18. Notification of the confirmation of an intention to use an inspection airplane that has been notified in accordance with paragraph 17 of this Section shall be provided no less than seven days in advance of the estimated date of its arrival at the point of entry or airport associated with the facility subject to continuous monitoring or monitored facility, and shall include:

- (a) the number, time, and date of the notification provided earlier in accordance with paragraph 17 of this Section;
- (b) the date and estimated time of arrival at the point of entry or at the airport associated with the facility subject to continuous monitoring or monitored facility; and
- (c) the names of aircrew members.

19. Notification of the response to a request by the inspecting Party contained in a notification provided in accordance with paragraph 17 of this Section to land an inspection airplane at the airport associated with a facility subject to continuous monitoring or monitored facility shall be provided by the inspected Party no less than 72 hours prior to the estimated time of its arrival specified in a notification provided in accordance with paragraph 13, 14, 15, or 18 of this Section, and shall include:

- (a) in case the inspected Party permits the airplane to land at the airport associated with the facility specified in the notification provided in accordance with paragraph 17 of this Section:
 - (i) the name of the airport;
 - (ii) the route for the flight of the inspection airplane to the airport; and

- (iii) whether or not an escort crew will be provided and, if provided, a list of the members of that aircrew; or
- (b) in case the inspected Party does not permit the airplane to land at the airport associated with the facility specified in the notification provided in accordance with paragraph 17 of this Section, the point of entry associated with the facility.

20. Notification of amendments made to the list of inspectors, monitors, or aircrew members in accordance with paragraph 4 of Section II of this Protocol shall include:

- (a) the list or lists to be amended;
- (b) if any inspector, monitor, or aircrew member is removed from the lists, the first name, patronymic or middle name, and last name; day, month, and year of birth; city, oblast or state, and country of birth; and the passport number, if available, of the person removed; and
- (c) for each inspector, monitor, or aircrew member proposed for inclusion in the lists, the first name, patronymic or middle name, and last name; day, month, and year of birth; city, oblast or state, and country of birth; and passport number, if available.

21. Notification of agreement with or objection to the designation by the other Party of each inspector, monitor, or aircrew member proposed for inclusion on the lists provided for in paragraph 2 of Section II of this Protocol shall be provided no later than 20 days after entry into force of the Treaty or, with respect to subsequent amendments made to these lists, no later than 20 days after receipt of the notification provided in accordance with paragraph 20 of this Section, and shall include:

- (a) the corresponding list or lists;
- (b) for each inspector, monitor, or aircrew member, the first name, patronymic or middle name, and last name; day, month, and year of birth; city, oblast or state, and country of birth; and passport number, if available; and
- (c) for each inspector, monitor, or aircrew member, agreement with or objection to the designation of that person.

22. Notification of an objection to an inspector, monitor, or aircrew member who is currently on the list of inspectors, monitors, or aircrew members, shall include:

- (a) the corresponding list or lists;

- (b) for each inspector, monitor, or air-crew member, the first name, patronymic or middle name, and last name; day, month, and year of birth; city, oblast or state, and country of birth; and passport number if available; and
- (c) for each inspector, monitor, or aircrew member, the reason for the objection to that person.

23. Notification of a change or addition to the points of entry to the territory of the inspected Party shall be provided in accordance with paragraph 1 of Section IV of this Protocol through diplomatic channels no less than five months prior to the beginning of the use of the new point of entry, and shall include:

- (a) the point of entry to be changed, if applicable; and
- (b) the new point of entry.

24. Notification containing data concerning the flight plan of an inspection airplane shall be provided no less than six hours prior to the scheduled departure time of such an airplane from the last airfield prior to entering the airspace of the inspected Party.

25. Notification of the approval of the flight plan of an inspection airplane filed in accordance with paragraph 24 of this Section shall be provided by the inspected Party no less than three hours prior to the scheduled time for departure of such an airplane from the last airfield prior to entering the airspace of the inspected Party.

26. Notification of an intention to conduct the cargo examination at a location other than the facility subject to continuous monitoring or monitored facility shall be provided by the inspected Party no less than 120 hours in advance of the estimated time of arrival of an inspection airplane used in accordance with paragraph 4 of Section IV of this Protocol.¹

27. Notification of a change of a route for flights of inspection airplanes to and from a point of entry established on the territory of a Party shall be provided by that Party no less than 30 days in advance of the effective date of such change and shall include:

- (a) the point of entry;*
- (b) the changed flight route, and*
- (c) the effective date of such change.²*

28. Notification of the determination, in accordance with subparagraph 1(d) of Subsection E of Section VI of Annex 8 to this Protocol, of agreed geographic

¹ JCIC Agreement No. 5, Article Three.

² JCIC Agreement No. 8, Article One, Paragraph 1.

coordinates of reference points used at a point of entry for testing the operability of satellite system receivers, shall be provided by the inspected Party no later than 48 hours after such determination and shall include:

- (a) the point of entry;*
- (b) the date of determination of the agreed geographic coordinates;*
- (c) the agreed geographic coordinates of each of the reference points;
and*
- (d) a physical description of each of the reference points.¹*

29. Notification of the intent to change, in accordance with subparagraph 1(h) of Subsection E of Section VI of Annex 8 to this Protocol, a reference point used at a point of entry for testing the operability of satellite system receivers, shall be provided by the inspected Party no less than seven days in advance of the proposed effective date of the change and shall include:

- (a) the point of entry;*
- (b) the agreed geographic coordinates of the reference point to be changed;*
- (c) the geographic coordinates of the new reference point; and*
- (d) the proposed effective date of the change.²*

IV. Arrangements for Air Transportation

1. The United States of America and the Russian Federation shall each establish on its territory no more than three and no fewer than two points of entry. The Republic of Belarus, the Republic of Kazakhstan, and Ukraine shall each establish one point of entry on its territory. The points of entry and their associated inspection sites shall be listed in Annex I to the Memorandum of Understanding. Each Party may change a point of entry to its territory by providing notification of such a change to the other Parties in accordance with paragraph 23 of Section III of this Protocol.³

2. The inspected Party shall, for each facility subject to continuous monitoring or monitored facility, identify the airport associated with that facility. Provisions of this Protocol relating to points of entry, except for the provisions of paragraphs 2, 3, 4, and 14 of Section V of this Protocol, shall apply to such airports while inspection airplanes or equipment and supplies transported by such airplanes in accordance with paragraph 4 of this Section are located there.

¹ JCIC Agreement No. 19, Article Three, Paragraph 1.

² JCIC Agreement No. 19, Article Three, Paragraph 2.

³ JCIC Agreement No. 14, Article One, Paragraph 1.

3. The inspecting Party shall have the right to use inspection airplanes of the types specified in paragraph 2 of Annex 10 to this Protocol for the transportation of inspectors or monitors to the points of entry on the territory of the inspected Party. Such airplanes may, at the same time that they are transporting inspectors, carry equipment intended for inspections. Such airplanes may, at the same time that they are transporting monitors, carry equipment and supplies intended for continuous monitoring activities. The inspecting Party shall provide notification of each flight of an inspection airplane transporting inspectors or monitors in accordance with paragraph 3, 5, 6, 10, 11, 13, 14, or 15 of Section III of this Protocol.

4. The inspecting Party shall have the right to use inspection airplanes of types specified in paragraph 3 of Annex 10 to this Protocol for the transportation of cargo specified in an inventory provided in accordance with paragraph 1 of Annex 7 to this Protocol. Such airplanes may, at the same time that they are transporting such cargo, carry monitors, and equipment and supplies intended for continuous monitoring activities, and, if such airplanes arrive at the point of entry, also inspectors and equipment intended for inspections. Such airplanes may carry only equipment, only supplies, or both at one and the same time. Flights of such airplanes shall take place only to the points of entry, and, for airplanes not transporting inspectors, on a case-by-case basis, with the permission of the inspected Party, into airports associated with facilities subject to continuous monitoring or monitored facilities. For airplanes making flights into airports associated with facilities subject to continuous monitoring or monitored facilities, the inspected Party shall have the right to provide an escort crew consisting of not more than two individuals (navigator and radio operator or navigator only) who shall board the inspection plane at the last airfield prior to entering the airspace of the inspected Party. The inspecting Party shall provide notification of each flight of an inspection airplane for the transportation of cargo in accordance with paragraph 17 of Section III of this Protocol and, if applicable, paragraph 3, 5, 6, 10, 11, 13, 14, 15, or 18 of Section III of this Protocol.

5. During an operational dispersal conducted by one of the Parties, each flight of inspection airplanes used in accordance with paragraph 3 or 4 of this Section, to transport monitors, and to transport cargo to the territory of the Party that has declared an operational dispersal, and to the territory of the Party that has declared the suspension of inspections in connection with such a dispersal conducted by the other Party, shall be agreed through diplomatic channels.

6. The inspecting Party shall have the right to use airplanes making regularly scheduled commercial flights to transport inspectors and monitors to those points of entry that are served by such airplanes. The provisions of this Protocol shall not affect airplanes making regularly scheduled commercial flights that are used for the transportation of inspectors and monitors to points of entry, or their aircrews. Inspectors arriving on the territory of the inspected Party on an airplane making a regularly scheduled commercial flight shall have the right to bring equipment intended for inspections. Monitors arriving on the territory of the inspected Party on an airplane making a regularly scheduled commercial flight shall have the right to bring equipment and supplies intended for continuous monitoring activities.

7. An inspection airplane used in accordance with paragraph 4 of this Section may transport equipment and supplies for more than one facility subject to continuous monitoring or monitored facility only if all such facilities are associated with the same point of entry and the flight is made to that point of entry.

8. *The following routes for flights of inspection airplanes used in accordance with this Section to and from the points of entry shall be listed in paragraph 10 of Annex I to the Memorandum of Understanding:*

- (a) *from the west, directly to and from the points of entry to the Republic of Belarus, the Republic of Kazakhstan, Ukraine, and western points of entry to the Russian Federation and the United States of America;*
- (b) *from the east, directly to and from the point of entry to the Republic of Kazakhstan and eastern points of entry to the Russian Federation and the United States of America;*
- (c) *between the points of entry to the Republic of Belarus, the Republic of Kazakhstan, Ukraine, and western points of entry to the Russian Federation. An inspection airplane of the United States of America shall use such routes only if it has arrived at one of these points of entry from the west;*
- (d) *between the point of entry to the Republic of Kazakhstan and eastern points of entry to the Russian Federation. An inspection airplane of the United States of America shall use such routes only if it has arrived at one of these points of entry from the east.*

Such flight routes shall be the basis for issuing standing diplomatic clearance numbers. Each Party shall assign alternate airfields in accordance with the rules of the International Civil Aviation Organization. Each Party may change routes for flights of inspection airplanes to and from points of entry established on its territory by providing a notification of such change to the other Parties in accordance with paragraph 27 of Section III of this Protocol.¹

9. Flight plans for inspection airplanes shall be filed in accordance with the procedures of the International Civil Aviation Organization applicable to civil aircraft. The inspecting Party shall include in the remarks section of each flight plan the standing diplomatic clearance number and the notation: "Inspection airplane. Priority clearance processing required."

10. No less than three hours before the scheduled time for departure of an inspection airplane from the last airfield prior to entering the airspace of the inspected Party, the inspected Party shall ensure that the flight plan of the inspection airplane, filed in accordance with paragraph 9 of this Section, is

¹ JCIC Agreement No. 14, Article One, Paragraph 2.

approved so that the inspection team or monitors may arrive at the point of entry by the estimated arrival time.

11. The call sign "START-XXX" shall be assigned to inspection airplanes. The same odd-hundred call sign shall be assigned to inspection airplanes of the United States of America (for example, 1XX, 3XX, 5XX) and the same even-hundred call sign shall be assigned to inspection airplanes of the Union of Soviet Socialist Republics (for example, 2XX, 4XX, 6XX).

12. The number of aircrew members for each inspection airplane shall not exceed ten, except that the inspecting Party shall have the right to exceed that number of aircrew members by no more than 15 for inspection airplanes used in accordance with paragraph 4 of this Section, for the purpose of assisting in the delivery or removal of equipment and supplies intended for continuous monitoring activities or, on a case-by-case basis, with the permission of the inspected Party, for the purpose of conducting non-routine maintenance or repair of inspection airplanes located within the territory of the inspected Party.

13. The inspected Party shall provide parking, security protection, fueling, air navigation, airport facility, and ground technical and commercial services, as well as additional services as requested, for inspection airplanes of the inspecting Party at the point of entry or the airport associated with the facility subject to continuous monitoring or monitored facility. The cost of parking and security protection for each such airplane shall be borne by the inspected Party. The cost of fueling and air navigation, airport facility, and ground technical and commercial services, as well as additional services as requested, shall be borne by the inspecting Party.

14. *For each facility subject to continuous monitoring or monitored facility, the maximum weight of equipment and supplies that may be brought into or taken out by one flight of an airplane transporting monitors through the point of entry in accordance with the provisions of this Section shall be 3,000 kilograms, unless otherwise agreed within the framework of the Joint Compliance and Inspection Commission.*¹ This limitation on weight shall not apply to the cargo specified in the inventory provided in accordance with paragraph 1 of Annex 7 to this Protocol.

V. Activities Beginning Upon Arrival at the Point of Entry

1. Inspection teams, monitors, and air-crew members shall arrive at the point of entry on the territory of the inspected Party that is associated with the inspection site or the facility subject to continuous monitoring or monitored facility. As soon as the airplane lands, the in-country escort shall meet: the inspection team or monitors, and aircrew members arriving at the point of entry on an inspection air-plane; or the inspection team or monitors arriving at the point of entry on an airplane making a regularly scheduled commercial flight. The in-country escort shall expedite the entry of the inspection team or monitors, and aircrew members, their baggage, and equipment intended for inspections, or

¹ JCIC Agreement No. 4, Article One.

equipment and supplies intended for continuous monitoring activities, into the territory of the inspected Party and shall accompany the inspection team and assist it in exercising its functions throughout the in-country period. The in-country escort shall have the right to accompany monitors and shall assist them in exercising their functions throughout the in-country period.

2. *As soon as an airplane lands, diplomatic officials of each Party whose citizens are among the inspectors, monitors, and aircrew members arriving at the point of entry shall meet:*

- (a) the inspection team or monitors, and aircrew members arriving at the point of entry on an inspection airplane; or*
- (b) the inspection team or monitors arriving at the point of entry on an airplane making a regularly scheduled commercial flight.*

Such diplomatic officials may accompany inspectors and monitors only during the stay of the inspectors and monitors at the point of entry, but may accompany the aircrew members throughout the in-country period.¹

3. *An inspection airplane arriving at the San Francisco point of entry shall land at Travis Air Force Base. No more than two diplomatic officials of the Party that provided the notification of the inspection in accordance with Section III of this Protocol and no more than one diplomatic official of each other Party whose citizens are among the inspectors, monitors, and aircrew members arriving at the point of entry shall be permitted to enter Travis Air Force Base for the purpose of meeting inspectors, monitors, and aircrew members arriving there. For that purpose, no less than four hours prior to the estimated time of arrival of such an airplane at Travis Air Force Base, the embassy or consular post of which such diplomatic officials are members shall transmit to the Department of State of the United States of America in Washington, D.C. by telephone, the names of the diplomatic officials involved and the registration number of the vehicle involved. The diplomatic officials so identified shall be granted access to the base no less than 30 minutes prior to the estimated time of arrival of such airplane.²*

4. *The inspected Party shall provide, or arrange for providing transportation to Travis Air Force Base of inspection teams and monitors that arrive at San Francisco International Airport on airplanes making regularly scheduled commercial flights. In such cases, no more than two diplomatic officials of the Party that provided the notification of the inspection in accordance with Section III of this Protocol and no more than one diplomatic official of each other Party whose citizens are among the inspectors and monitors arriving at the point of entry shall be permitted to accompany such inspection teams or such monitors onto Travis Air Force Base. No less than two hours prior to the estimated time of arrival of the inspection team or monitors at San Francisco International Airport, the embassy or consular post of which such diplomatic officials are members shall transmit to the Department of State of the United*

¹ JCIC Agreement No. 23, Article One, Paragraph 1.

² JCIC Agreement No. 23, Article One, Paragraph 2.

States of America in Washington, D.C., by telephone, the names of the diplomatic officials involved and the registration number of the vehicle involved, for the purpose of providing the diplomatic officials so identified access to Travis Air Force Base in order to accompany inspection teams or monitors.¹

5. An inspector or monitor shall be considered to have assumed the duties of an inspector or monitor upon arrival at the point of entry on the territory of the inspected Party and shall be considered to have ceased performing those duties after departure from the territory of the inspected Party through the point of entry.

6. Throughout the in-country period, inspectors and monitors shall wear civilian clothes. During their stay at the inspection site, in the perimeter continuous monitoring area, and at other locations, as agreed by the inspection team leader or monitoring team leader and a member of the in-country escort, the inspectors and monitors shall wear unique badges provided by the inspecting Party.

7. Each Party shall ensure that equipment and supplies are exempt from all custom duties and are expeditiously processed at the point of entry.

8. Equipment and supplies that the inspecting Party, in accordance with paragraphs 15 and 16 of Section VI of this Protocol, brings into the country in which the inspection site or the facility subject to continuous monitoring or monitored facility is located shall be subject to examination each time they are brought into that country. Such equipment and supplies shall be examined by the in-country escort, in the presence of inspectors or monitors, or, for inspection airplanes used in accordance with paragraph 4 of Section IV of this Protocol, at the discretion of the inspecting Party, in the presence of aircrew members. The purpose of such examination shall be to ascertain to the satisfaction of each Party that the equipment or supplies cannot perform functions unconnected with the requirements of inspections or continuous monitoring activities.

9. Equipment and supplies that inspectors or monitors bring on inspection airplanes used in accordance with paragraph 3 of Section IV of this Protocol or on airplanes making regularly scheduled commercial flights shall be examined by the in-country escort at the point of entry. The examination of such equipment and supplies shall be completed prior to the departure of the inspection team or monitors from the point of entry for the inspection site or the facility subject to continuous monitoring or the monitored facility.

10. Equipment and supplies transported on inspection airplanes used in accordance with paragraph 4 of Section IV of this Protocol shall be examined in accordance with the provisions of Annex 7 to this Protocol.

11. If the inspected Party concludes as a result of an examination conducted in accordance with paragraph 8 of this Section that an item of equipment or supplies can perform functions unconnected with the requirements of inspections or continuous monitoring activities, the inspected Party may

¹ JCIC Agreement No. 23, Article One, Paragraph 3.

impound that item of equipment or supplies at the location of the examination. Equipment and supplies impounded at the point of entry or the airport associated with the facility subject to continuous monitoring or the monitored facility shall not be brought to an inspection site or to a facility subject to continuous monitoring or monitored facility, unless the inspected Party informs the inspecting Party otherwise.

12. If, during the examination of equipment or supplies a member of the in-country escort concludes that an item of equipment or supplies should not be cleared for use, the member of the in-country escort shall explain the reasons for that conclusion to the inspection team leader or the monitoring team leader, or an authorized representative of such a team. If the inspection team leader or the monitoring team leader, or the authorized representative of such a team, disagrees with the conclusion of the member of the in-country escort, the inspection team leader or the monitoring team leader, or the authorized representative of such a team, may explain the appropriateness of the item of equipment or supplies to the requirements of inspections or continuous monitoring activities. If the member of the in-country escort remains convinced of the original conclusion, that member of the in-country escort and the inspection team leader or the monitoring team leader, or the authorized representative of such a team, shall record their views in a joint document and each of them shall retain a copy of the document. The Parties may resolve disagreements on the use of impounded equipment or supplies through diplomatic channels, within the framework of the Joint Compliance and Inspection Commission, or by other methods agreed by the Parties.

13. If the inspected Party has not informed the inspecting Party of a different decision, the equipment or supplies impounded at the point of entry or at the airport associated with the facility subject to continuous monitoring or monitored facility shall be removed no later than the departure from the country of the inspection team that brought the impounded equipment or supplies or no later than the next departure of monitors from the country. The impounded equipment or supplies may be removed from the country, at the choice of the inspecting Party, either on an inspection airplane or on a civil aircraft making a regularly scheduled commercial flight. Until such equipment or supplies have been removed from the country, they shall be stored at the point of entry or the airport associated with the facility subject to continuous monitoring or monitored facility. A storage method shall be used that requires the presence of representatives of both Parties for access to the impounded equipment or supplies.

14. Except as provided for in Annex 7 to this Protocol, each Party shall have the right to store equipment and supplies at the points of entry on the territory of the other Party. Storage of such equipment and supplies at each point of entry shall be within a secure structure or room. The inspecting Party may provide containers that are locked by locks and sealed by seals belonging to the inspecting Party, for storage of such equipment and supplies within the secure structure or room. The storage method used shall require the presence of representatives of both Parties for access to the equipment or supplies.

15. For an inspection conducted pursuant to paragraph 2, 3, 4, 5, 6, 7, or 10 of Article XI of the Treaty, the inspection team leader shall, at or before the time for the designation of the inspection site specified in the notification provided in accordance with paragraph 3 of Section III of this Protocol, designate in writing to the inspected Party through the in-country escort, of the type of inspection and the inspection site, indicating its name and geographic coordinates. Such a designation of the inspection site shall be made either at the time specified in that notification at the airport of the point of entry, or, prior to that time, at the airport of the point of entry or at another place within the point of entry.

16. For reentry vehicle inspections of deployed ICBMs and SLBMs, if prior to the departure of the inspection team for the inspection site, a member of the in-country escort has informed the inspection team leader that there are no deployed ICBMs or SLBMs in all of the restricted areas of the ICBM base for mobile launchers of ICBMs or the rail garrison or at a submarine base to be inspected, no later than one hour after such notification, the inspection team leader shall have the right to:

- (a) inform the member of the in-country escort that the inspection of the designated base for mobile launchers of ICBMs or of the submarine base shall take place. In this case such inspection shall count against the quota provided for in paragraph 1 of Section IX of this Protocol;
- (b) designate for inspection an inspection site associated with the same point of entry in accordance with the provisions provided in paragraph 15 of this Section or in paragraph 36 or 37 of Section VI of this Protocol;
- (c) decline to conduct the inspection and leave the territory of the inspected Party. In this case the number of reentry vehicle inspections of deployed ICBMs and SLBMs to which the inspecting Party is entitled shall not be reduced.

17. For a data update inspection at an air base for heavy bombers, except for an air base at which are based only heavy bombers of a type from none of which a long-range nuclear ALCM has been flight-tested; an air base for former heavy bombers; a training facility for heavy bombers; or a storage facility for heavy bombers and former heavy bombers, that has been designated for inspection:

- (a) If the number of heavy bombers, other than test heavy bombers, and former heavy bombers that are of types of heavy bombers and former heavy bombers based at the designated facility and that will be located at such facility at any time during the first 20 hours of the period of inspection, is less than 70 percent of the number of such airplanes specified as based at such facility, a member of the in-country escort shall so inform the inspection team leader prior to the departure of the inspection team to the inspection site. In such a case, the inspection team leader shall have the right:

- (i) to inform a member of the in-country escort that the inspection of the designated facility will proceed; or
 - (ii) to designate another inspection site; or
 - (iii) to decline to conduct the inspection. In such a case, the number of data update inspections to which the inspecting Party is entitled shall not be reduced.
- (b) If the inspection team leader is not so informed, or if the inspection team leader is so informed but decides to continue the inspection, then prior to the departure of the inspection team to the inspection site, a member of the in-country escort shall inform the inspection team leader of the name of the airfield within the national territory of the inspected Party at which will be located each heavy bomber or former heavy bomber that is specified as based at the facility designated for inspection, and that will be absent from the inspection site but located within the national territory of the inspected Party during the period of the inspection. A member of the in-country escort shall also inform the inspection team leader of the number and type of test heavy bombers that will be located at the inspection site at any time during the period that pre-inspection restrictions on heavy bombers and former heavy bombers will be in effect.
- (c) For sequential inspections, the procedures provided for in subparagraphs (a) and (b) of this paragraph shall be carried out at the location at which the inspection team leader designates the subsequent inspection site pursuant to paragraph 7 of Section III of this Protocol.

18. Throughout the in-country period, the inspected Party shall provide, or arrange for the provision of meals, lodging, work space, transportation, and, as necessary, medical and other urgent services for the inspectors, and aircrew members of the inspecting Party. Costs of all such services shall be borne by the inspected Party.

19. The inspected Party shall provide, or arrange for the provision of meals, lodging, transportation, and, as necessary, urgent medical services for the monitors while the monitors are at the point of entry; shall provide or arrange for the provision of transportation in connection with travel between the point of entry or the airport associated with the facility subject to continuous monitoring or monitored facility and the facility subject to continuous monitoring or monitored facility, and between the facilities subject to continuous monitoring or monitored facilities; and, at the request of the inspecting Party, shall provide or arrange for the provision of meals, lodging, work space, transportation and, as necessary, medical and other urgent services while monitors are at the facility subject to continuous monitoring or monitored facility. The cost of all services provided for monitors shall be distributed as follows:

- (a) The cost of transportation and urgent medical services provided while monitors are at the point of entry shall be borne by the inspected Party.
- (b) The cost of meals and lodging provided while monitors are at the point of entry shall be borne by the inspecting Party.
- (c) The cost of temporary and permanent lodging and work space provided while the monitors are at the facility subject to continuous monitoring or monitored facility, including utilities and maintenance for such lodging and work space, shall be borne by the inspecting Party.
- (d) The cost of meals, provided at the request of the inspecting Party, while the monitors are at the facility subject to continuous monitoring or monitored facility shall be borne by the inspecting Party.
- (e) The cost of transportation of monitors that arrive on an airplane used in accordance with paragraph 3 or 6 of Section IV of this Protocol, together with equipment and supplies that do not exceed the weight specified in accordance with paragraph 14 of Section IV of this Protocol, from the point of entry to the facility subject to continuous monitoring or monitored facility and from such a facility to the point of entry shall be borne by the inspecting Party.
- (f) The cost of transportation of monitors, together with equipment and supplies that do not exceed the weight specified in accordance with paragraph 14 of Section IV of this Protocol, from one facility subject to continuous monitoring or monitored facility to another such facility shall be borne by the inspecting Party.
- (g) The cost of transportation of monitors from the facility subject to continuous monitoring or monitored facility to the embassy or consulate of the inspecting Party on the territory of the inspected Party and back, pursuant to paragraph 29 of Section XVI of this Protocol, as well as the provision of transportation, meals, and lodging during such travel, shall be borne by the inspecting Party.
- (h) The cost of delivering equipment and supplies for continuous monitoring activities that arrive on an airplane used in accordance with paragraph 4 of Section IV of this Protocol, and the cost of transporting the monitors that arrive on such an airplane, from the point of entry to the facility subject to continuous monitoring or monitored facility and from such a facility to the point of entry shall be borne by the inspecting Party.
- (i) The cost of delivering equipment and supplies for continuous monitoring activities that arrive on an airplane used in accordance with paragraph 4 of Section IV of this Protocol, and the cost of transporting the monitors that arrive on such an airplane, from the

airport associated with the facility subject to continuous monitoring or monitored facility to such a facility and from the facility subject to continuous monitoring or monitored facility to the airport associated with such a facility shall be borne by the inspecting Party.

- (j) The cost of urgent evacuation of monitors, at the request of the inspecting Party, from the facility subject to continuous monitoring or monitored facility to the point of entry or airport associated with such a facility shall be borne by the inspecting Party.
- (k) The cost of utilities and maintenance of the perimeter and portal continuous monitoring system, including utilities and engineering support for the building for storage of equipment and supplies, shall be borne by the inspecting Party.
- (l) The cost of transportation provided for monitors within the zone where monitors may move with the permission of the inspected Party and the free movement zone that are provided for in paragraph 8 of Section XVI of this Protocol shall be borne by the inspected Party.
- (m) The cost of medical and other urgent services provided while the monitors are at the facility subject to continuous monitoring or monitored facility shall be borne by the inspecting Party.

20. For the goods and services provided by the inspected Party pursuant to paragraphs 18 and 19 of this Section, the following provisions shall apply:

- (a) Meals for monitors, inspectors, and aircrew members shall be prepared meals and shall be served either in a dining facility or at a location agreed to by the inspection team leader and a member of the in-country escort.
- (b) Lodging for inspectors and aircrew members shall be of the following types:
 - (i) Lodging for inspectors and aircrew members provided at the point of entry, and for inspectors conducting an inspection pursuant to paragraph 8 of Article XI of the Treaty at facilities where the elimination process occurs continuously or nearly continuously, shall be hotel-type accommodations.
 - (ii) Lodging for inspectors provided in all other cases shall be sufficient to permit inspectors to sleep. Such lodging need not be separate from the work space for inspectors provided at inspection sites.
- (c) Lodging for monitors shall be in buildings built by the inspected Party for the inspecting Party, except that lodging for monitors at the point of entry shall be hotel-type accommodations. Until construction of such buildings is completed the inspected Party

shall provide monitors with apartment-type accommodations in existing buildings.

- (d) For transportation of inspectors and monitors, the following provisions shall apply:
 - (i) At the inspection site, the inspected Party shall provide a sufficient number of vehicles to transport the inspection team, and up to five vehicles to transport the subgroups that may be designated by the inspection team leader.
 - (ii) For monitors at the point of entry and within the zone where monitors may move with the permission of the inspected Party and within the free movement zone that are provided for in paragraph 8 of Section XVI of this Protocol, the inspected Party shall provide vehicles. The drivers of such vehicles shall be considered to be members of the in-country escort.

21. The inspecting Party shall provide or arrange for the provision of meals, lodging, work space, transportation, and, as necessary, medical and other urgent services for the escort crew of the inspected Party pursuant to paragraph 4 of Section IV of this Protocol while such escort crew is at or in the vicinity of the last airfield from which the inspection airplane will depart prior to entering the airspace of the inspected Party. Costs for all such services shall be borne by the inspecting Party. The inspecting Party shall provide or arrange for transportation of the escort crew to the last airfield from which the inspection airplane will depart prior to entering the airspace of the inspected Party. The cost for such travel shall be borne by the inspecting Party.

22. Coverage of the activities of inspection teams and monitoring teams by representatives of the mass media on the territory of the inspected Party shall be arranged as follows:

- (a) at the points of entry the inspected Party shall provide such representatives an opportunity to photograph and televise the arrival and departure of inspection teams and monitoring teams;
- (b) the Parties shall agree on a case-by-case basis through diplomatic channels to provide representatives of the mass media an opportunity to interview inspectors and monitors, to include taking photographs and making audio-visual recordings;
- (c) the activities of representatives of the mass media shall be arranged so that such activities do not interfere with the conduct of inspections, continuous monitoring activities, or the process of elimination; and
- (d) the Parties shall not allow representatives of the mass media to accompany inspectors during inspections or monitors during the conduct of continuous monitoring activities.

VI. General Rules for the Conduct of Inspections and Continuous Monitoring Activities

1. Inspectors and monitors shall discharge their functions in accordance with this Protocol.
2. Inspectors and monitors shall not disclose information obtained during inspections or continuous monitoring activities except with the express consent of the inspecting Party. They shall remain bound by this obligation after their assignments as inspectors or monitors have ended.
3. The boundaries of an inspection site shall be the boundaries of the facility specified on the site diagram that is received pursuant to the Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Exchange of Geographic Coordinates and Site Diagrams relating to the Treaty of July 31, 1991, or provided in accordance with paragraph 3 of Section I of the Notification Protocol.
4. At any facility containing non-contiguous parts of an inspection site that are connected with roads depicted on the site diagram, such roads shall not be considered part of the inspection site. Containers, launch canisters, or vehicles located on such roads shall not be subject to inspection until such containers, launch canisters, or vehicles enter the inspection site during the period of inspection. An item that is transported from one non-contiguous part of the facility to another non-contiguous part of the facility shall not be considered to be in transit provided it is transported directly on roads shown on the site diagram.
5. In discharging their functions, inspectors and monitors shall communicate with personnel of the inspected Party only through the in-country escort.
6. Except as provided for in this Protocol, inspectors and monitors shall not interfere with ongoing activities at an inspection site or a facility subject to continuous monitoring or monitored facility and shall not hamper or delay the operation of a facility. Inspectors and monitors shall take no actions affecting the safe operation of a facility.
7. In carrying out their activities, inspectors and monitors shall observe safety regulations established at the inspection site or perimeter continuous monitoring area including those for personal safety, as well as regulations for the protection of equipment and maintenance of the controlled environment within a facility. The in-country escort shall provide safety briefings in the inspected Party's language. These briefings shall be interpreted by the inspected Party into the inspecting Party's language. The inspected Party shall provide, as necessary, individual protective gear.
8. A member of the in-country escort shall ensure necessary lighting for inspectors and monitors to carry out the procedures provided for in this Protocol.
9. If inspectors or monitors, in discharging their duties, take actions that are not in accordance with the rules and procedures governing the conduct of

inspections or continuous monitoring activities, the in-country escort may inform the inspection team leader or the monitoring team leader, or an authorized representative of such a team, who shall take appropriate measures to prevent a repetition of such actions. If the questions or ambiguities are not resolved at the site, the in-country escort may include a statement in the inspection report or continuous monitoring report concerning such actions, and the inspection team leader or monitoring team leader may include in the report a response to such a statement.

10. If members of the in-country escort, in discharging their duties, take actions that are not in accordance with the rules and procedures governing the conduct of inspections or continuous monitoring activities, the inspection team leader or monitoring team leader, or an authorized representative of such a team, may inform the in-country escort, who shall take appropriate measures to prevent a repetition of such actions. If the questions or ambiguities are not resolved at the site, the inspection team leader or monitoring team leader may include a statement in the inspection report or continuous monitoring report concerning such actions, and the in-country escort may include in the report a response to such a statement.

11. Except as otherwise provided in this Protocol, the movement and travel of inspectors, monitors, and aircrew members shall be at the discretion of the in-country escort. In case of need for the urgent departure or emergency evacuation of inspectors or monitors from the territory of the inspected Party or urgent travel to the embassy or consulate of the inspecting Party on the territory of the inspected Party, the inspecting Party shall inform the inspected Party of the need for each such departure, evacuation, or travel and the nature of the urgency or emergency. The inspected Party shall arrange without undue delay such departure, evacuation, or travel. The inspecting Party, may, on a case-by-case basis, with the permission of the inspected Party, evacuate inspectors or monitors, using its own airplane and at its own expense, from the airport closest to the inspection site or the facility subject to continuous monitoring or monitored facility. In all cases, the inspected Party shall determine the means of transportation and routes involved in travel. During each such departure, evacuation, or travel, the inspected Party shall have the right to examine the personal baggage of inspectors or monitors, except papers.

12. At an inspection site, representatives of the inspected facility shall be included among the in-country escort. For continuous monitoring activities, the Parties shall designate, at each of their facilities subject to continuous monitoring or monitored facilities, an in-country escort. The inspected Party shall ensure that a member of the in-country escort at the facility is continuously available to monitors either in person or by telephone.

13. Throughout the period of stay at the point of entry, at the inspection site, or at the perimeter continuous monitoring area, the inspected Party shall ensure that the inspectors and monitors can be in communication with the embassy of the inspecting Party located on the territory of the inspected Party using telephonic communications provided by the inspected Party. Monitors shall also have the right, subject to the provisions of paragraphs 16, 17, and 18 of Section XVI of this Protocol, to use a satellite system for communications between the

monitoring team and the territory of the inspecting Party. The inspected Party shall provide means of communication between inspection team subgroups. Such means of communication shall be under the control of the inspected Party.

14. For inspections conducted pursuant to paragraph 2, 3, 4, 5, 6, 7, or 10 of Article XI of the Treaty, the inspected Party shall transport the inspection team from the point of entry to the inspection site no later than nine hours after the time for the designation of the inspection site specified in the notification provided in accordance with paragraph 3 of Section III of this Protocol, except that for inspections conducted pursuant to paragraph 3 of Article XI of the Treaty at ICBM bases for road-mobile launchers of ICBMs, the inspected Party shall transport the inspection team to the inspection site no later than 24 hours after that time. If an inspection is conducted after completion of a previous inspection as provided for in paragraph 36 of this Section, the inspected Party shall transport the inspection team to the inspection site within the following time periods:

- (a) no later than nine hours after the time for the designation of the inspection site specified in the notification provided in accordance with paragraph 8 of Section III of this Protocol, if such a notification is provided at the point of entry; or
- (b) no later than 18 hours after the time for the designation of the inspection site specified in the notification provided in accordance with paragraph 8 of Section III of this Protocol, if such a notification is provided at the inspection site.

15. The inspection team shall have the right, subject to the provisions of paragraphs 8 and 9 of Section V of this Protocol, to bring onto the inspection site documents intended for inspections, as well as equipment, the maximum number of which for any specific item shall not exceed the number specified in Annex 8 to this Protocol for the corresponding item in the list of equipment for any given type of inspection. During its stay at the inspection site the inspection team shall have the right to store the equipment in the work space for inspectors. Such equipment shall be stored under the control of the inspection team. Throughout the in-country period the inspectors shall permit the in-country escort to observe such equipment.

16. Monitors shall have the right, subject to the provisions of paragraphs 8, 9, and 10 of Section V of this Protocol and of Annex 7 to this Protocol, to bring, and shall have the right, subject to the provisions of paragraph 10 of Section V of this Protocol and of Annex 7 to this Protocol, to deliver to each facility subject to continuous monitoring or monitored facility documents intended for continuous monitoring activities, as well as equipment provided for in Annexes 8 and 9 to this Protocol and supplies. Throughout the in-country period the monitors shall permit the in-country escort to observe such equipment and supplies, except when those supplies are located in the living quarters for the monitors, and except when such equipment and supplies are located in their office premises that enjoy inviolability or protection in accordance with subparagraph 7(b) of Section II of this Protocol.

17. The inspecting Party shall provide to the inspected Party through diplomatic channels a list of items of equipment, provided for in Annex 8 or 9 to this Protocol, indicating the manufacturer's name and the model, if not previously provided. Technical specifications of such items of equipment shall be agreed by the Parties without undue delay and prior to the first time such items of equipment are brought or delivered to the territory of the inspected Party. The inspecting Party shall have the right to replace, upon agreement with the inspected Party, equipment provided for in Annex 8 or 9 to this Protocol with other equipment, subject to the following provisions:

- (a) If the purpose and characteristics of the replacement equipment are similar to the purpose and characteristics of the equipment provided for in Annex 8 or 9 to this Protocol, such equipment shall, at the choice of the inspected Party, be agreed upon either before such equipment is delivered to the territory of the inspected Party or upon completion of the examination of the equipment conducted in accordance with paragraph 8 of Section V of this Protocol or in accordance with paragraph 4 or 8 of Annex 7 to this Protocol when applicable. For that purpose, the inspecting Party shall provide to the inspected Party through diplomatic channels a list and description of such equipment, indicating the manufacturer's name and the model, if available, and the type of inspection or the place in the perimeter and portal continuous monitoring system where the equipment will be used or installed. This list and this description shall be provided in the time agreed for the provision of the inventory in accordance with paragraph 1 of Annex 7 to this Protocol.
- (b) If the Parties have not reached agreement regarding the replacement equipment in accordance with subparagraph (a) of this paragraph, or if the purpose or characteristics of the replacement equipment differ from the purpose and characteristics of the equipment provided for in Annex 9 to this Protocol, the question of the use of such equipment shall be agreed upon within the framework of the Joint Compliance and Inspection Commission.

18. During an inspection or continuous monitoring activities, inspectors or monitors shall have the right to use any of the equipment specified in Annex 8 or 9 to this Protocol for a specific type of inspection or for continuous monitoring activities, except for cameras, which shall be used only by the inspected Party, at the request of the inspecting Party. At the request of the inspectors or monitors, a member of the in-country escort shall take photographs in order to obtain two photographs of each object or building located within the inspection site or perimeter continuous monitoring area, designated by the inspectors or monitors, relating to which questions or ambiguities have arisen. One camera on a tripod shall be allowed for taking two photographs in sequence. Each Party shall retain one photograph of each item. The photographic equipment furnished by the inspecting Party shall be capable of producing instant development photographs.

19. Measurements recorded during inspections or continuous monitoring activities shall be certified by the signatures of an inspector or a monitor and a

member of the in-country escort immediately after they are taken. Such certified data shall be included in the inspection report or continuous monitoring report. The result of each measurement of the weight or dimensions that deviates by no more than three percent from the relevant technical data provided pursuant to Article VIII of the Treaty shall be considered acceptable.

20. For the purposes of this Protocol, an item of inspection is understood to mean:

- (a) for baseline data inspections, data update inspections, new facility inspections, close-out inspections, and formerly declared facility inspections at facilities other than air bases for heavy bombers, air bases for former heavy bombers, training facilities for heavy bombers, and storage facilities for heavy bombers or former heavy bombers: an ICBM or SLBM, a first stage of an ICBM or SLBM maintained, stored, and transported in stages, a first stage of an ICBM for mobile launchers of ICBMs, a solid rocket motor for a first stage of an ICBM for mobile launchers of ICBMs, a mobile launcher of ICBMs, or support equipment of the inspected Party;
- (b) for baseline data inspections, data update inspections, new facility inspections, and close-out inspections at air bases for heavy bombers, air bases for former heavy bombers, training facilities for heavy bombers, and storage facilities for heavy bombers or former heavy bombers: a heavy bomber or a former heavy bomber of the inspected Party;
- (c) for baseline data inspections, data update inspections, and new facility inspections at weapons storage areas that are subject to inspection at air bases for heavy bombers, air bases for former heavy bombers, and training facilities for heavy bombers: the smallest long-range nuclear ALCM of the inspected Party;
- (d) for suspect-site inspections: an ICBM for mobile launchers of ICBMs, a first stage of an ICBM for mobile launchers of ICBMs, or a solid rocket motor for a first stage of an ICBM for mobile launchers of ICBMs of the inspected Party; and
- (e) for post-dispersal inspections of deployed mobile launchers of ICBMs and their associated missiles: a mobile launcher of ICBMs and its associated missile of the inspected Party attributed to the inspection site or, for such an inspection at a maintenance facility, a mobile launcher of ICBMs of the inspected Party attributed to the inspection site.

21. For the purposes of this Protocol, an item of continuous monitoring is understood to mean an ICBM for mobile launchers of ICBMs or a first stage of such an ICBM, if such an ICBM is maintained, stored, and transported in stages.

22. For the purposes of this Protocol, for each structure, container, launch canister, covered or environmentally protected object, vehicle, or object, the

expression "large enough to contain" or "large enough to be" an item of inspection or item of continuous monitoring is understood to mean that each of the measured linear dimensions, that is, length, width, height, and diameter, of such structure, container, launch canister, covered or environmentally protected object, vehicle, or other object is determined to be 97 percent or more of the corresponding linear dimensions specified for that item.

23. For each Party, the size criteria used in inspections shall be determined on the basis of the diameters and lengths of all the reference cylinders for the items of inspection of that Party, except that, for items of the Union of Soviet Socialist Republics existing as of Treaty signature, such size criteria shall be determined on the basis of the diameter and length of the reference cylinder for the SS-25 ICBM. The specific size criteria for inspections are provided in paragraphs 1 and 2 of Annex 12 to this Protocol. The lengths and diameters of the reference cylinders shall be:

- (a) for baseline data inspections, data update inspections, new facility inspections, close-out inspections, and formerly declared facility inspections at facilities other than air bases for heavy bombers, air bases for former heavy bombers, training facilities for heavy bombers, and storage facilities for heavy bombers or former heavy bombers:
 - (i) for ICBMs for mobile launchers of ICBMs: the diameter of the first stage of an ICBM of each type of ICBM for mobile launchers of ICBMs and the agreed percentage of the length of that stage;
 - (ii) for ICBMs and SLBMs that are maintained, stored, and transported in stages: the diameter of the first stage of an ICBM or SLBM of each type and 90 percent of the length of that stage, except for such ICBMs for mobile launchers of ICBMs; and
 - (iii) *for ICBMs that are maintained, stored, and transported as assembled missiles in launch canisters or without launch canisters, and for SLBMs that are maintained, stored, and transported as assembled missiles: the diameter and length of an ICBM or SLBM of each type in the shipment configuration that is the shortest configuration specified that holds an assembled ICBM or SLBM of that type without the front section, except for such ICBMs for mobile launchers of ICBMs.*¹
- (b) for suspect-site inspections: the diameter of the first stage of an ICBM of each type of ICBM for mobile launchers of ICBMs and the agreed percentage of the length of that stage.

¹ Corrigenda, December 19, 1991, Section II.

24. For each Party, the size criteria used in continuous monitoring shall be determined on the basis of the diameters and lengths of all the reference cylinders for the items of continuous monitoring of that Party, except that, for ICBMs for mobile launchers of ICBMs of the Union of Soviet Socialist Republics existing as of Treaty signature, such size criteria shall be determined on the basis of the diameter and length of the reference cylinder for the SS-25 ICBM. These criteria shall be used at the portals of all monitored facilities of the inspected Party. The specific size criteria for continuous monitoring are provided in paragraph 3 of Annex 12 to this Protocol. The lengths and diameters of the reference cylinders shall be determined as follows:

- (a) for ICBMs for mobile launchers of ICBMs that are maintained, stored, and transported as assembled missiles in launch canisters: 90 percent of the diameter and 90 percent of the length of the launch canister for an ICBM for mobile launchers of ICBMs in the shipment configuration that is the shortest configuration specified that holds an assembled ICBM of that type without the front section;
- (b) for ICBMs for mobile launchers of ICBMs that are maintained, stored, and transported in stages: the diameter and length of the first stage of an ICBM of that type; and
- (c) for ICBMs for mobile launchers of ICBMs that are maintained, stored, and transported as assembled missiles without launch canisters: as agreed within the framework of the Joint Compliance and Inspection Commission.

25. The size criteria for inspection of containers or vehicles at a monitored facility producing ICBMs for mobile launchers of ICBMs of a type of ICBM to which more than one warhead is attributed, conducted pursuant to paragraph 15 of Annex 5 to this Protocol, shall be determined using a reference cylinder whose diameter is 97 percent of the diameter of the first stage and whose length is 97 percent of the distance from the lower edge of the nozzle to the upper point of the forward end dome of the motor case of the first stage of an ICBM of that type.

26. If the inspection team or monitoring team is unable to carry out a procedure chosen by the inspected Party in accordance with the provisions of this Protocol to confirm that a covered or environmentally protected object, container, launch canister, vehicle, structure, or other object is or is not an item of inspection or an item of continuous monitoring either because such a team has not brought to the inspection site or perimeter continuous monitoring area agreed equipment to carry out that procedure or if, through no fault of the inspected Party, equipment brought by the inspecting Party for that procedure cannot function, the inspected Party shall have the right to decline to choose another procedure for such demonstration.

27. During an inspection or during continuous monitoring activities, inspectors or monitors shall have the right to request clarification. Such requests shall be made promptly through the in-country escort. The in-country escort shall provide clarifications that may be useful in resolving questions and ambiguities. In the event questions and ambiguities relating to an object or building located

within the inspection site or perimeter continuous monitoring area are not resolved, the inspected Party shall photograph such object or building at the request of the inspecting Party. If questions or ambiguities remain at the end of the inspection, or for continuous monitoring activities, at the end of the period covered by the report provided for in paragraph 2 of Section XVIII of this Protocol, relevant clarifications shall be included in the inspection report or continuous monitoring report, and each photograph retained by the Party shall be considered to be an integral part of the report.

28. An inspection team conducting an inspection pursuant to paragraph 2, 3, 4, 5, 6, 7, 9, or 10 of Article XI of the Treaty shall include no more than 10 inspectors. An inspection team conducting an inspection pursuant to paragraph 11, 12, or 13 of Article XI of the Treaty during the 165-day period after entry into force of the Treaty, shall include no more than 15 inspectors. After expiration of that period, such an inspection team shall include no more than 10 inspectors. An inspection team conducting an inspection pursuant to paragraph 8 of Article XI of the Treaty shall include no more than 20 inspectors. A monitoring team shall include no more than 30 monitors, except that the inspecting Party shall have the right to exceed that number of monitors at each facility subject to continuous monitoring or monitored facility by:

- (a) no more than 15 monitors for the engineering site survey and establishment of a perimeter and portal continuous monitoring system for no more than an aggregate of 90 days, unless the Parties agree otherwise;
- (b) no more than five monitors for the maintenance of the perimeter and portal continuous monitoring system for a period of no more than seven days for each visit by monitors for such purpose and for no more than an aggregate of 84 days each year for each monitored facility, after the perimeter and portal continuous monitoring system is established, unless the Parties agree otherwise; and
- (c) no more than 10 monitors for a period of no more than five days during the replacement of monitors in accordance with paragraph 39 of this Section.

At least two inspectors or monitors on each inspection team or monitoring team must speak the language of the inspected Party. An inspection team or monitoring team shall operate under the direction of the team leader and deputy team leader. There shall be no more than one inspection team or monitoring team at each inspection site or at each perimeter continuous monitoring area, respectively, at any one time. Upon arrival at the inspection site, the inspection team leader shall have the right to indicate subgroups consisting of no fewer than two inspectors each.

29. Pre-inspection procedures, including safety briefings and the provision of information relating to the conduct of the inspection and the inspection site, shall begin upon arrival of the inspection team or monitors at the inspection site or perimeter continuous monitoring area and shall be completed within one hour.

The inspection team shall begin the inspection immediately upon completion of the pre-inspection procedures.

30. Prior to the completion of the pre-inspection procedures, the inspection team leader may designate not less than one subgroup from among the members of the inspection team to inspect vehicles leaving the inspection site in such a way that, in accordance with paragraph 6 of this Section, the operation of the facility is not hampered or delayed. If a subgroup of the inspection team is not designated, vehicles shall be free to depart the facility.

31. For an inspection conducted pursuant to paragraph 2, 3, 4, 5, 7, 9, 10, 11, 12, or 13 of Article XI of the Treaty, the period of inspection shall not exceed 24 hours. By agreement with the in-country escort, the period of inspection may be extended by no more than eight hours, except that in case of an inspection conducted pursuant to paragraph 2, 4, 11, 12, or 13 of Article XI of the Treaty, the period of inspection shall be extended for the time necessary to complete the inspection. Such an extension, with respect to baseline data inspections and new facility inspections of ICBM bases for road-mobile launchers of ICBMs shall be determined, as agreed by the Parties in each specific case, taking into account the time required to complete the inspection of all restricted areas and the maintenance facility of the designated base after the return of all road-mobile launchers of ICBMs to the restricted areas. For an inspection conducted pursuant to paragraph 6 of Article XI of the Treaty, the period of inspection shall terminate upon completion of the inspection procedures, and as provided for in paragraph 16 of Annex 3 to this Protocol upon the arrival of the inspection team at the location designated by the inspected Party for conducting post-inspection procedures.

32. Post-inspection procedures, which include completing the inspection report in accordance with the provisions of Section XVIII of this Protocol, shall begin, when the period of inspection expires, at the location designated by the inspected Party and shall be completed no later than four hours after the arrival of the inspection team at that location, or no later than three hours after the arrival of all subgroups of the inspection team at that location, whichever is later.

33. For the purposes of this Protocol, a sequential inspection is understood to mean an inspection conducted by an inspection team after the completion of an inspection and prior to the departure of the team from the territory of the inspected Party. Sequential inspections shall be conducted only at facilities associated with the same point of entry by an inspection team that has not left the territory of the inspected Party.

34. For an inspection conducted pursuant to paragraph 2, 3, 4, 5, or 7 of Article XI of the Treaty, prior to an inspection of a structure within the inspection site, inspectors may be present at the exits of the structure whose entrances and exits are large enough to permit passage of an item of inspection. During an inspection of such a structure, no object, container, or vehicle shall leave the structure until inspected or until an inspector declares that he or she has no intention to inspect it.

35. For an inspection conducted pursuant to paragraph 2, 3, 4, 5, or 7 of Article XI of the Treaty, inspectors shall have the right during the period of

inspection to patrol the perimeter of the inspection site and to be present at the exits of the site. No vehicle shall leave the inspection site during the period of inspection until inspected or until an inspector declares that he or she does not intend to inspect it.

36. If the inspection team intends to conduct a sequential inspection pursuant to paragraph 2, 3, 4, 5, 6, 7, or 10 of Article XI of the Treaty, the inspection team leader, prior to completion of the pre-inspection procedures, shall provide a notification in accordance with paragraph 7 of Section III of this Protocol, and then, prior to completion of post-inspection procedures or no later than one hour after the return of the inspection team to the point of entry, shall provide a notification in accordance with paragraph 8 of Section III of this Protocol. No facility may be designated for inspection more than one time by each inspection team.

37. If the inspection team intends to conduct a sequential inspection pursuant to paragraph 8, 9, 11, 12, or 13 of Article XI of the Treaty, the inspection team leader, prior to completion of the post-inspection procedures but no less than 24 hours before the planned commencement of the sequential inspection, shall provide a notification in accordance with paragraph 7 of Section III of this Protocol. Arrangements for rest and the timing of the departure of the inspection team and of its arrival at the next inspection site shall be as agreed by the Parties.

38. If the inspection team does not intend to conduct another inspection, upon completion of the post-inspection procedures the inspection team shall return to the point of entry and then shall leave, within 24 hours, the territory of the inspected Party.

39. The inspecting Party shall have the right to replace monitors, subject to the provisions of paragraph 28 of this Section:

- (a) directly at a facility subject to continuous monitoring or monitored facility or at the airport associated with such facility no more than 34 times each year, provided that the replacement of monitors directly at the facility subject to continuous monitoring or monitored facility may be conducted no more than once in each three-week period; and
- (b) directly at a facility subject to continuous monitoring or monitored facility or at the airport associated with such facility when an inspection airplane used in accordance with paragraph 4 of Section IV of this Protocol arrives at such an airport.

One replacement of monitors counted against the limits provided for in this paragraph is understood to mean one arrival of monitors on the territory of the inspected Party in accordance with the notification provided for in paragraph 14 of Section III of this Protocol. The number of departures of such monitors from the territory of the inspected Party shall not exceed 34 in each year.

40. Monitors for the purpose of maintaining the perimeter and portal continuous monitoring system at a facility subject to continuous monitoring or

United States Department of State

monitored facility shall arrive on the territory of the inspected Party subject to the limits provided for in paragraph 39 of this Section and subject to the provisions of paragraph 28 of this Section. Such monitors may arrive together with or separately from replacement monitors.

VII. Baseline Data Inspections, Data Update Inspections, and New Facility Inspections Conducted Pursuant to Paragraphs 2, 3, and 4 of Article XI of the Treaty

1. *Each Party shall have the right to conduct baseline data inspections beginning 85 days after entry into force of the Treaty and ending 205 days after entry into force of the Treaty.*¹

2. *Except as provided for in paragraph 3 of this Section, each Party shall have the right to conduct data update inspections 205 days after entry into force of the Treaty and thereafter.*² Each Party shall have the right to conduct a total of 15 such inspections each year, with no more than two such inspections each at any one facility.

3. In infrequent special cases, and for purposes not inconsistent with the Treaty, the inspected Party may temporarily exempt appropriate air bases from data update inspections. Notification of such exemptions shall be provided through diplomatic channels along with an explanation of the reason for the exemption.

4. Each Party shall have the right to conduct new facility inspections 45 days after entry into force of the Treaty and thereafter. Such inspections shall be conducted at facilities that were not specified in the notification provided in accordance with paragraph 1 of Section I of the Notification Protocol and that were specified in notifications provided in accordance with paragraph 3 of Section I of the Notification Protocol. Each such inspection shall be conducted at such a facility no later than 60 days after such notification has been provided. Such a facility shall not be subject to any other inspection before a new facility inspection has been conducted or, if no such inspection has been conducted, before the 60-day period for conducting such an inspection has expired.

5. Each Party shall have the right to conduct baseline data inspections, data update inspections, and new facility inspections at any of the following facilities: ICBM bases; submarine bases; ICBM loading facilities; SLBM loading facilities; repair facilities for ICBMs, SLBMs, or mobile launchers of ICBMs; storage facilities for ICBMs, SLBMs, mobile launchers of ICBMs, heavy bombers, or former heavy bombers; training facilities for ICBMs, SLBMs, or heavy bombers; conversion or elimination facilities for ICBMs, SLBMs, or mobile launchers of ICBMs; test ranges; air bases for heavy bombers, except for air bases for heavy bombers equipped for nuclear armaments other than long-range nuclear ALCMs, at which are based only heavy bombers of a type from none of which a long-range nuclear ALCM has been flight-tested; and air bases for former heavy bombers. In addition, only for the inspection of weapons storage

¹ JCIC Agreement No. 28, Article One, Paragraph 1.

² JCIC Agreement No. 28, Article One, Paragraph 2.

areas, each Party shall have the right to conduct baseline data inspections, data update inspections, and new facility inspections at air bases at which are based only heavy bombers of a type from none of which a long-range nuclear ALCM has been flight-tested.

6. No later than one hour after the time for the designation of the inspection site specified in the notification provided in accordance with paragraph 3 or 8 of Section III of this Protocol, the inspected Party shall implement the following pre-inspection restrictions at the inspection site, which shall remain in effect until the inspection team completes its pre-inspection procedures, except as provided for in subparagraph 12(d) of this Section:

- (a) For facilities other than facilities specified in subparagraph (b) of this paragraph, ICBMs or SLBMs, first stages of ICBMs or SLBMs, mobile launchers of ICBMs, and support equipment of the inspected Party; containers, launch canisters, and closed vehicles large enough to contain an item of inspection of the inspected Party; and covered or environmentally protected objects large enough to contain or to be an item of inspection of the inspected Party, as determined by paragraph 22 of Section VI of this Protocol, shall not be removed from the inspection site.
- (b) *For air bases for heavy bombers, air bases for former heavy bombers, storage facilities for heavy bombers or former heavy bombers, and training facilities for heavy bombers, heavy bombers and former heavy bombers, of types of airplanes based at the inspected facility, shall not leave the inspection site. However, test heavy bombers, information about which has been provided in accordance with subparagraph 17(b) of Section V of this Protocol, and heavy bombers of a type from none of which a long-range nuclear ALCM has been flight-tested, may leave the inspection site. For air bases for heavy bombers equipped for nuclear armaments other than long-range nuclear ALCMs, air bases for heavy bombers equipped for non-nuclear armaments, air bases for former heavy bombers, and training facilities for heavy bombers, closed vehicles and containers large enough to contain the smallest long-range nuclear ALCM of the inspected Party, covered or environmentally protected objects large enough to contain or to be a long-range nuclear ALCM of the inspected Party, and ALCMs large enough to be long-range nuclear ALCMs of the inspected Party shall not be removed from the weapons storage area.¹*
- (c) For facilities that contain non-contiguous parts of an inspection site, once pre-inspection restrictions are in effect at the facility, a container, launch canister, or vehicle that has departed one non-contiguous part of a facility and is en route to another non-contiguous part of the same facility shall not be subject to pre-inspection restrictions until the container, launch canister, or vehicle enters an inspection site.

¹ JCIC Agreement No. 2, Article One, Paragraph 2.

7. Each Party shall have the right to conduct no more than a total of ten baseline data inspections and new facility inspections at any one time, and no more than one such inspection at each facility. Each Party shall have the right to conduct no more than one data update inspection at any one time.

8. Upon arrival of the inspection team at the inspection site, a member of the in-country escort shall inform the inspection team leader of the numbers, and, as applicable, type, category, variant, and version of ICBMs, SLBMs, first stages of ICBMs or SLBMs, ICBM launchers, SLBM launchers, ballistic missile submarines, fixed structures for mobile launchers of ICBMs, empty launch canisters, support equipment, heavy bombers, and former heavy bombers at that inspection site. At the same time, the member of the in-country escort shall provide the inspection team leader with a copy of the site diagram of the inspection site, annotated to indicate the location at the inspection site of such items and the structures or vehicles in which they are located. The following shall also apply:

- (a) In the case of air bases at which, pursuant to paragraph 5 of this Section, only the weapons storage area is subject to inspection, such information shall not be provided.
- (b) For an inspection conducted at an ICBM base for silo launchers of ICBMs, if a member of the in-country escort informs the inspection team leader that there are more ICBMs at the maintenance facility of the inspected ICBM base than provided for in subparagraph 1(c) of Article IV of the Treaty, a member of the in-country escort shall designate the silo launchers of ICBMs that do not contain ICBMs but that are considered to contain ICBMs in accordance with subparagraph 2(b) or 6(d) of Article III of the Treaty.
- (c) For an inspection conducted at an air base for heavy bombers equipped for long-range nuclear ALCMs, and for an inspection conducted at an air base for heavy bombers equipped for nuclear armaments other than long-range nuclear ALCMs, except for air bases at which only the weapons storage area is subject to inspection pursuant to paragraph 5 of this Section, a member of the in-country escort shall inform the inspection team leader of the numbers, by category, type, and, if applicable, variant, of any heavy bombers that are on alert and the area where those heavy bombers are located. During pre-inspection procedures at air bases for heavy bombers equipped for long-range nuclear ALCMs, a member of the in-country escort shall inform the inspection team leader of the maximum number of long-range nuclear ALCMs for which each type and variant of a heavy bomber equipped for long-range nuclear ALCMs is actually equipped, indicating the numbers, by type and, if applicable, variant, of heavy bombers equipped for long-range nuclear ALCMs based and located at the air base that are specified, for the United States of America, to be in excess of 150 heavy bombers equipped for long-range nuclear ALCMs, as provided for in subparagraph 4(e) of Article III of the Treaty, or, for the Union of Soviet Socialist Republics, to be in excess of 180

heavy bombers equipped for long-range nuclear ALCMs, as provided for in subparagraph 4(f) of Article III of the Treaty.

- (d) If any of the items specified for an inspection site are absent from the inspection site at the time of the arrival of the inspection team at the inspection site, a member of the in-country escort shall inform the inspection team leader of the type and, if applicable, variant, and the reason for the absence of each item. For a facility for heavy bombers or former heavy bombers, a member of the in-country escort shall also provide, in addition to the information provided at the point of entry pursuant to subparagraph 17(b) of Section V of this Protocol, the category of each such heavy bomber and, for heavy bombers and former heavy bombers that are located outside national territory of the inspected Party, the general location of each such airplane.
- (e) At a facility that contains non-contiguous parts of an inspection site connected by roads depicted on a site diagram, if any of those items declared absent are located on the roads connecting one non-contiguous part of the facility to another non-contiguous part of the facility, a member of the in-country escort shall inform the inspection team leader of the type, and if applicable, variant of a type, and reason for the absence of each item, its approximate location, and, its estimated time of arrival at an inspection site. Such items shall return to the inspection site not later than 18 hours after the commencement of the inspection.

9. *For baseline data inspections, data update inspections, and new facility inspections, the inspectors shall have the right, subject to the provisions of paragraph 5 of Annex 6 to this Protocol, to read the data from the unique identifiers on all ICBMs for mobile launchers of ICBMs except for such ICBMs deployed in silo launchers of ICBMs and except for such ICBMs deployed on mobile launchers of ICBMs that have not returned to their restricted areas due to circumstances brought about by force majeure and for which a member of the in-country escort has specified geographic coordinates in accordance with subparagraph 12(b) of this Section.*¹

10. *For baseline data inspections, data update inspections, and new facility inspections, the inspection team shall have the right to confirm that ICBMs or SLBMs declared to be training models of missiles, or launch canisters declared to contain training models of missiles, are training models of missiles or contain such training models of missiles, unless such items are located in silo training launchers or in silo test launchers.*²

11. For ICBM bases for silo launchers of ICBMs, the inspectors shall have the right to inspect the maintenance facility subject to the procedures provided for in Annex 1 to this Protocol. If the number of ICBMs located at the maintenance

¹ JCIC Agreement No. 2, Article One, Paragraph 3.

² JCIC Agreement No. 2, Article One, Paragraph 4.

facility of the inspected ICBM base exceeds the number provided for in subparagraph 1(c) of Article IV of the Treaty, the inspectors shall have the right to inspect the silo launchers of ICBMs that the inspected Party declares not to contain ICBMs but that are considered to contain ICBMs in accordance with subparagraph 2(b) or 6(d) of Article III of the Treaty. Inspection of such a silo launcher of ICBMs shall be conducted in accordance with procedures provided for in Annex 2 to this Protocol for the purpose of confirming that it does not contain an ICBM. If the inspection team intends to inspect such silo launchers of ICBMs, the inspection team leader, upon completion of pre-inspection procedures, shall designate the silo launchers of ICBMs to be inspected and shall indicate a subgroup or subgroups, each consisting of no more than four inspectors, to conduct such inspections. No later than eight hours after completion of pre-inspection procedures, the inspected Party shall transport a subgroup of the inspection team to the silo launcher of ICBMs designated to be inspected.

12. For ICBM bases for road-mobile launchers of ICBMs:

- (a) The inspected Party shall return all road-mobile launchers of ICBMs located outside restricted areas to the restricted areas of the ICBM base to be inspected except road-mobile launchers of ICBMs that are located at a maintenance facility, road-mobile launchers of ICBMs that are engaged in a relocation, and road-mobile launchers of ICBMs that cannot return to their restricted areas due to circumstances brought about by *force majeure*. The return of road-mobile launchers of ICBMs shall be completed within the following period of time:
 - (i) for baseline data inspections and new facility inspections, no later than 18 hours after the commencement of the period of inspection; or
 - (ii) for data update inspections, no later than 24 hours after the time for the designation of the inspection site specified in the notification provided in accordance with paragraph 3 or 8 of Section III of this Protocol.
- (b) For each restricted area, a member of the in-country escort shall, in addition to the information provided in accordance with paragraph 8 of this Section, inform the inspection team leader of the number of road-mobile launchers of ICBMs that have not returned to the restricted area. Such information shall be provided within the following periods of time:
 - (i) for baseline data inspections and new facility inspections, when the period of time for the return of road-mobile launchers of ICBMs in accordance with subparagraph (a) (i) of this paragraph has elapsed; or
 - (ii) for data update inspections, during pre-inspection procedures, when the period of time for the return of road-mobile launchers

of ICBMs in accordance with subparagraph (a) (ii) of this paragraph has elapsed.

For baseline data inspections, data update inspections, and new facility inspections, the inspected Party may, at its own choosing, either designate the geographic coordinates of the road-mobile launchers of ICBMs that have not returned to their restricted areas due to circumstances brought about by force majeure, or transport the inspectors to such road-mobile launchers of ICBMs.

- (c) Prior to the completion of the pre-inspection procedures, the inspection team leader shall designate which restricted area or restricted areas are to be inspected. For baseline data inspections and new facility inspections, the inspection team shall have the right to inspect all restricted areas and the maintenance facility that are part of the ICBM base to be inspected. For these purposes, the inspection team may be divided into at least two subgroups, each of which may independently inspect the designated locations. For data update inspections, the inspection team shall have the right to inspect one restricted area and the maintenance facility that are part of the ICBM base to be inspected. If an inspection of road-mobile launchers of ICBMs that have not returned to their restricted areas due to circumstances brought about by *force majeure* is permitted pursuant to subparagraph (b) of this paragraph, the inspection team leader shall also indicate whether the inspection team intends to inspect those road-mobile launchers of ICBMs whose geographic coordinates were not designated in accordance with subparagraph (b) of this paragraph, and shall indicate the subgroup assigned for this purpose.
- (d) Pre-inspection restrictions with respect to each of the restricted areas designated for inspection in accordance with subparagraph (c) of this paragraph shall remain in effect until the arrival there of the inspectors. For data update inspections, pre-inspection restrictions with respect to restricted areas not designated for inspection in accordance with subparagraph (c) of this paragraph shall remain in effect until six hours after the completion of the pre-inspection procedures.
- (e) The inspected Party shall transport the inspection team to the restricted area designated for inspection without undue delay and within the following period of time:
 - (i) to a restricted area located at a straight-line distance of less than 100 kilometers from the maintenance facility: no later than five hours after completion of pre-inspection procedures; or
 - (ii) to a restricted area located at a straight-line distance of 100 kilometers or more from the maintenance facility: no later than eight hours after completion of pre-inspection procedures.

During the period of inspection, road-mobile launchers of ICBMs located within these restricted areas at the time the inspection begins may depart such areas only with the consent of the inspectors.

- (f) The maintenance facility and restricted areas shall be inspected subject to the procedures provided for in Annexes 1 and 2 to this Protocol.

13. For ICBM bases for rail-mobile launchers of ICBMs:

- (a) Inspectors shall have the right to inspect the maintenance facility and the rail garrison, including all rail lines, rail entrances/exits, parking sites, and associated structures except for those structures where reentry vehicles are stored, that are part of the ICBM base to be inspected, subject to the procedures provided for in Annexes 1 and 2 to this Protocol.
- (b) For baseline data inspections and new facility inspections, the inspected Party shall concentrate at the inspected ICBM base all rail-mobile launchers of ICBMs attributed to that ICBM base no later than 18 hours after the commencement of the period of inspection.
- (c) During the period of inspection, rail-mobile launchers of ICBMs located within the inspected ICBM base at the time the inspection begins may leave it only with the consent of the inspectors.
- (d) The inspected Party shall provide the inspectors with the necessary transportation to permit them to inspect all rail lines within the inspected ICBM base during the daylight hours of the period of inspection.

14. For air bases for heavy bombers, air bases for former heavy bombers, training facilities for heavy bombers, and storage facilities for heavy bombers and former heavy bombers:

- (a) The inspecting Party shall have the right to inspect all heavy bombers and former heavy bombers, of a type specified as based at that air base, that were located at the inspected facility at the time pre-inspection restrictions went into effect or that have returned to the facility in accordance with subparagraph (b) of this paragraph. Alert heavy bombers, however, shall be subject to inspection only in accordance with subparagraph (d) of this paragraph. Heavy bombers of a type from none of which a long-range nuclear ALCM has been flight-tested and test heavy bombers shall not be subject to inspection. Such inspections shall be conducted to confirm the data on the numbers, by type and, if applicable, category and variant, of heavy bombers and former heavy bombers; and to confirm that:

- (i) heavy bombers equipped for long-range nuclear ALCMs are not equipped for more long-range nuclear ALCMs than the number provided for in paragraph 20 or 21 of Article V of the Treaty, as applicable;
 - (ii) heavy bombers equipped for nuclear armaments other than long-range nuclear ALCMs are not equipped for long-range nuclear ALCMs; and
 - (iii) heavy bombers equipped for non-nuclear armaments, training heavy bombers, and former heavy bombers satisfy the requirements for conversion in accordance with Section VI of the Conversion or Elimination Protocol.
- (b) For baseline data and new facility inspections at such facilities, the inspected Party, no later than 20 hours after commencement of the period of inspection, shall concentrate at the inspected facility all heavy bombers and former heavy bombers specified for it except for such heavy bombers and former heavy bombers that, due to circumstances brought about by *force majeure*, mechanical incapability, or temporary stationing outside the national territory of the inspected Party for purposes not inconsistent with the Treaty, cannot return to the inspected facility.
- (c) Inspections of heavy bombers and former heavy bombers shall be conducted in accordance with the procedures provided for in Annex 4 to this Protocol.
- (d) Inspectors shall have the right to inspect one alert heavy bomber of each type, category, and, if applicable, variant each year during baseline data inspections and data update inspections. Only heavy bombers loaded with nuclear armaments shall be considered to be alert heavy bombers.
- (e) For inspections at such facilities, except for inspections at air bases for heavy bombers only of a type from none of which a long-range nuclear ALCM has been flight-tested, the item of inspection shall be a heavy bomber or former heavy bomber. For structures within the boundaries of the inspection site large enough to contain an item of inspection, inspectors shall have the right to ascertain whether or not that structure contains a heavy bomber or former heavy bomber.
- (f) For air bases for heavy bombers equipped for nuclear armaments other than long-range nuclear ALCMs, air bases for heavy bombers equipped for non-nuclear armaments, air bases for former heavy bombers, and training facilities for heavy bombers, the inspecting Party shall have the right to inspect all weapons storage areas, and to inspect all covered or environmentally protected objects, containers, vehicles, and structures that are located within the boundaries of weapons storage areas and that are large enough to

contain the smallest long-range nuclear ALCM of a type for which notifications of data according to categories of data contained in Annex H to the Memorandum of Understanding have been provided, to confirm the absence of long-range nuclear ALCMs. Such inspections shall be carried out subject to the procedures provided for in Annex 4 to this Protocol.

15. For test ranges, the inspection team shall have the right to inspect the entire inspection site subject to the procedures provided for in Annex 1 to this Protocol, with the following exceptions:

- (a) In carrying out the procedures provided for in Annex 1 to this Protocol the inspected Party shall not be required to remove ICBMs or SLBMs contained in or located on soft-site launchers from such launchers, and such ICBMs and SLBMs shall not be subject to measurement; and
- (b) For silo launchers of ICBMs located at the test range being inspected, regardless of where they are shown on the site diagram of the test range, the inspection team shall have the right to inspect, at its choice, no more than one silo launcher of ICBMs that the inspected Party declares not to contain an ICBM or a training model of a missile. Inspection of such a silo launcher of ICBMs shall be conducted subject to the procedures provided for in Annex 2 to this Protocol for the purpose of confirming that it does not contain an ICBM.¹

16. For facilities other than those facilities specified in paragraphs 11, 12, 13, 14, and 15 of this Section, inspectors shall have the right to inspect the entire inspection site, subject to the procedures provided for in Annexes 1 and 2 to this Protocol.

17. For test ranges, conversion or elimination facilities for ICBMs, SLBMs, or mobile launchers of ICBMs, and ICBM bases, the inspection team shall have the right to inspect all launch canisters declared to be empty at each test range, conversion or elimination facility for ICBMs, SLBMs, or mobile launchers of ICBMs, and ICBM base.

18. Notwithstanding any other provisions of this Protocol, silo training launchers shall not be subject to inspection.²

VIII. Suspect-Site Inspections Conducted Pursuant to Paragraph 5 of Article XI of the Treaty

1. Each Party shall have the right 165 days after entry into force of the Treaty and thereafter, to conduct suspect-site inspections. Following each suspect-site inspection conducted by the inspecting Party, the number of data

¹ JCIC Agreement No. 21, Article One.

² JCIC Agreement No. 2, Article One, Paragraph 6.

update inspections to which the inspecting Party is entitled, pursuant to paragraph 2 of Section VII of this Protocol, shall be reduced by one for that year.

2. Each Party shall have the right to conduct suspect-site inspections at each facility specified as subject to suspect-site inspections in paragraph 12 of Annex I to the Memorandum of Understanding or in a notification provided in accordance with paragraph 3 of Section I of the Notification Protocol, if it is provided for in paragraph 3 of this Section.

3. A Party shall specify a facility as subject to suspect-site inspection and provide a notification thereof in accordance with paragraph 3 of Section I of the Notification Protocol for:

- (a) each facility that after entry into force of the Treaty begins to produce ICBMs or SLBMs as large or larger than an ICBM for mobile launchers of ICBMs of the inspected Party and is not subject to continuous monitoring, unless otherwise agreed; and
- (b) each facility at which continuous monitoring has ceased.

4. Each Party shall have the right to conduct no more than one suspect-site inspection at any one time. Each Party shall have the right to conduct no more than two such inspections each year at the same facility.

5. The Parties may agree within the framework of the Joint Compliance and Inspection Commission to remove a facility from the list of facilities subject to suspect-site inspection.

6. No later than one hour after the time for the designation of the inspection site specified in a notification provided in accordance with paragraph 3 or 8 of Section III of this Protocol, the inspected Party shall implement pre-inspection restrictions at the inspection site, which shall remain in effect until the inspection team completes the pre-inspection procedures. During the period of time that pre-inspection restrictions are in effect, vehicles, containers, and launch canisters large enough to contain an item of inspection of the inspected Party and covered objects large enough to contain or to be such items shall not be removed from the inspection site.

7. Inspectors shall have the right to inspect the entire inspection site, subject to the procedures provided for in Annex 1 to this Protocol, unless the Parties agree otherwise.

IX. Reentry Vehicle Inspections Conducted Pursuant to Paragraph 6 of Article XI of the Treaty

1. *Each Party shall have the right, 205 days after entry into force of the Treaty and thereafter, to conduct reentry vehicle inspections.*¹ Each Party shall have the right to conduct a total of ten reentry vehicle inspections each year, with no more than two such inspections each year at any one facility.

¹ JCIC Agreement No. 28, Article One, Paragraph 3.

2. Each Party shall have the right to conduct reentry vehicle inspections at ICBM bases and at submarine bases.

3. Each Party shall have the right to conduct no more than one reentry vehicle inspection at any one time. Neither Party shall have the right to conduct such an inspection simultaneously with any other type of inspection at the same facility. No more than one ICBM or SLBM may be inspected during each reentry vehicle inspection, except as provided for in paragraph 18 of this Section.

4. *No later than one hour after the time for the designation of the inspection site specified in the notification provided in accordance with paragraph 3 or 8 of Section III of this Protocol, the inspected Party shall implement the following pre-inspection restrictions at the ICBM base or submarine base, including the waters identified on the coastlines and waters diagram provided pursuant to paragraph 17 of Annex J to the Memorandum of Understanding.¹*

- (a) The inspected Party shall not open silo doors of silo launchers of ICBMs or hatches of launchers of SLBMs that were closed at the time the restrictions were implemented.
- (b) The inspected Party shall not begin any work associated with the removal of ICBMs or SLBMs from silo launchers of ICBMs or launchers of SLBMs that were open at the time the restrictions were implemented.
- (c) The inspected Party shall not begin any work associated with the removal of ICBMs from mobile launchers of ICBMs.
- (d) The inspected Party shall not begin any work associated with the removal or installation of front sections of ICBMs or SLBMs in silo launchers of ICBMs or in launchers of SLBMs that were open at the time the restrictions were implemented.
- (e) The inspected Party shall not begin any work associated with the removal or installation of front sections of ICBMs for mobile launchers of ICBMs.
- (f) The inspected Party shall not remove mobile launchers of ICBMs from restricted areas or from rail garrisons.
- (g) The inspected Party shall not move rail-mobile launchers of ICBMs into the maintenance facility.
- (h) *The inspected Party shall not move any ballistic missile submarine from within the waters identified on the coastlines and waters diagram provided pursuant to paragraph 17 of Annex J to the Memorandum of Understanding, and shall not commence dry docking of ballistic missile submarines within such waters.²*

¹ JCIC Agreement No. 13, Article One, Paragraph 1.

² JCIC Agreement No. 13, Article One, Paragraph 2.

5. In addition to the provisions provided for in paragraph 4 of this Section, upon arrival of the inspection team at the inspection site, the inspected Party shall not move mobile launchers of ICBMs that are located in restricted areas or the rail garrison, or ballistic missile submarines to which pre-inspection restrictions apply.

6. Pre-inspection restrictions provided for in paragraphs 4 and 5 of this Section shall not apply to work conducted to deal with an emergency involving a launcher, missile, or submarine.

7. Pre-inspection restrictions provided for in paragraphs 4 and 5 of this Section shall remain in effect until the procedures provided for in paragraph 10, 11, 12, or 13 of this Section have been completed, and for a launcher of ICBMs, fixed structure, restricted area, or ballistic missile submarine designated by the inspection team leader until inspectors have arrived at that location.

8. Upon arrival of the inspection team at the inspection site, a member of the in-country escort shall:

- (a) For ICBM bases for silo launchers of ICBMs, inform the inspection team leader of the number of silo launchers of ICBMs for each type of ICBM based there, and provide the inspection team leader with a copy of the simplified site diagram of the ICBM base annotated to show the designator and location of each of those launchers at that base. If more than one type of ICBM is specified for that base, the site diagram shall show the silo launchers of ICBMs by type of ICBM.
- (b) For ICBM bases for road-mobile launchers of ICBMs, provide the inspection team leader with a copy of the simplified site diagram of the ICBM base annotated to show the type of ICBM for each restricted area.
- (c) For ICBM bases for rail-mobile launchers of ICBMs, provide the inspection team leader with a copy of the simplified site diagram of the ICBM base, if there is such a diagram, and a copy of the site diagram of the rail garrison annotated to show the location of each of the rail-mobile launchers of ICBMs located outside fixed structures at the rail garrison. If more than one type of ICBM is specified for that ICBM base, the site diagram shall show the rail-mobile launchers of ICBMs by type of ICBM. Rail-mobile launchers of ICBMs located at the maintenance facility shall not be shown on the site diagram.
- (d) *For submarine bases, inform the inspection team leader of the location and type of each ballistic missile submarine to which pre-inspection restrictions apply, and of the type of SLBM for each such submarine, and provide the inspection team leader with a copy of the coastlines and waters diagram provided pursuant to paragraph 17 of Annex J to the Memorandum of Understanding, annotated to show the location of each ballistic missile submarine within the*

*waters identified pursuant to that paragraph, and the number of launchers on each such submarine.*¹

9. Upon the completion of pre-inspection procedures the inspection team leader shall designate in writing to a member of the in-country escort, in accordance with paragraph 10, 11, 12, or 13 of this Section, the launcher of ICBMs or SLBMs or fixed structure for mobile launchers of ICBMs containing the ICBM or SLBM to be inspected. The inspection team leader shall also have the right to designate for inspection, in the cases provided for in subparagraph 10(d), 11(g), 12(e), or 13(f) of this Section, one of the launchers of ICBMs or SLBMs, one of the fixed structures for mobile launchers of ICBMs, or one of the restricted areas declared not to contain a deployed ICBM or deployed SLBM, and shall designate a subgroup consisting of no more than four inspectors to conduct such an inspection. The inspection of such a launcher of ICBMs or SLBMs shall be conducted in accordance with the procedures provided for in Annex 2 to this Protocol. The inspection of such a fixed structure shall be conducted in accordance with the procedures provided for in Annex 1 to this Protocol. After a launcher of ICBMs or SLBMs or a fixed structure for mobile launchers of ICBMs has been designated in accordance with paragraph 10, 11, 12, or 13 of this Section, a member of the in-country escort shall brief the inspectors on the route they will travel to reach the launcher of ICBMs or SLBMs or the fixed structure for mobile launchers of ICBMs.

10. For ICBM bases for silo launchers of ICBMs:

- (a) If no silo launcher of ICBMs at the inspected ICBM base contains a deployed ICBM, a member of the in-country escort shall so inform the inspection team leader.
- (b) Unless a member of the in-country escort has informed the inspection team leader that no silo launcher of ICBMs at the inspected ICBM base contains a deployed ICBM, the inspection team leader shall designate, using its designator or geographic coordinates, the silo launcher of ICBMs containing the ICBM to be inspected.
- (c) If the designated silo launcher of ICBMs does not contain a deployed ICBM, a member of the in-country escort shall so inform the inspection team leader, who shall designate, in accordance with the procedures provided for in subparagraph (b) of this paragraph, another silo launcher of ICBMs containing the ICBM to be inspected.
- (d) The inspection team leader shall have the right to designate for inspection one of the silo launchers of ICBMs identified by a member of the in-country escort, in accordance with subparagraph (c) of this paragraph, as not containing deployed ICBMs. The purpose of such an inspection shall be to confirm that such a silo launcher of ICBMs does not contain a deployed ICBM.

¹ JCIC Agreement No. 13, Article One, Paragraph 3.

11. For ICBM bases for road-mobile launchers of ICBMs:

- (a) If no road-mobile launcher of ICBMs at the inspected ICBM base contains a deployed ICBM, a member of the in-country escort shall so inform the inspection team leader.
- (b) Unless a member of the in-country escort has informed the inspection team leader that no road-mobile launcher of ICBMs at the inspected ICBM base contains a deployed ICBM, the inspection team leader shall designate, using its name or geographic coordinates, the restricted area in which the ICBM to be inspected is located.
- (c) If no road-mobile launcher of ICBMs in the designated restricted area contains a deployed ICBM for road-mobile launchers of ICBMs, a member of the in-country escort shall so inform the inspection team leader, who shall designate, in accordance with the procedures provided for in subparagraph (b) of this paragraph, another restricted area in which the ICBM to be inspected is located.
- (d) Unless a member of the in-country escort has informed the inspection team leader that no road-mobile launcher of ICBMs in the designated restricted area contains a deployed ICBM, a member of the in-country escort shall provide the inspection team leader with a copy of the site diagram of that restricted area annotated to show the location of each of the road-mobile launchers of ICBMs located outside of fixed structures in this restricted area, and the inspection team leader shall designate, using that site diagram, the road-mobile launcher of ICBMs, or fixed structure for road-mobile launchers of ICBMs, in which the ICBM to be inspected is located.
- (e) If a designated fixed structure contains more than one road-mobile launcher of ICBMs, a member of the in-country escort shall inform the inspection team leader of their locations using the annotated site diagram. The inspection team leader shall designate on the annotated site diagram the road-mobile launcher of ICBMs that contains the ICBM to be inspected.
- (f) If a designated fixed structure for road-mobile launchers of ICBMs or a designated road-mobile launcher of ICBMs does not contain a deployed ICBM, a member of the in-country escort shall so inform the inspection team leader, who shall designate, in accordance with the procedures provided for in subparagraph (d) of this paragraph, another fixed structure or another launcher containing the ICBM to be inspected from among those fixed structures or launchers located in the same restricted area.
- (g) The inspection team leader shall have the right to designate for inspection fixed structures for road-mobile launchers of ICBMs or

road-mobile launchers of ICBMs that a member of the in-country escort has identified, in accordance with subparagraph (c) or (f) of this paragraph, as not containing deployed ICBMs. The purpose of such an inspection shall be to confirm that such fixed structures or such road-mobile launchers of ICBMs do not contain deployed ICBMs. The inspection team leader shall have the right to designate:

- (i) All fixed structures for road-mobile launchers of ICBMs and all road-mobile launchers of ICBMs located in one of the restricted areas of the inspected ICBM base, if a member of the in-country escort has informed the inspection team leader that the ICBM base does not contain deployed ICBMs for road-mobile launchers of ICBMs.
- (ii) In all other cases, one of the fixed structures for road-mobile launchers of ICBMs or one of the road-mobile launchers of ICBMs, that, in accordance with subparagraph (f) of this paragraph, a member of the in-country escort has identified for the inspection team leader as not containing a deployed ICBM for road-mobile launchers of ICBMs.

12. For ICBM bases for rail-mobile launchers of ICBMs:

- (a) If no rail-mobile launcher of ICBMs at the inspected rail garrison contains a deployed ICBM, a member of the in-country escort shall so inform the inspection team leader.
- (b) Unless a member of the in-country escort has informed the inspection team leader that no rail-mobile launcher of ICBMs at the inspected rail garrison contains a deployed ICBM, the inspection team leader, using the annotated site diagram provided for in paragraph 8 of this Section, shall designate the launcher or fixed structure containing the ICBM to be inspected. Rail-mobile launchers of ICBMs located at the maintenance facility may not be designated for reentry vehicle inspection.
- (c) If a designated fixed structure for rail-mobile launchers of ICBMs contains more than one rail-mobile launcher of ICBMs, a member of the in-country escort shall inform the inspection team leader of their locations using the annotated site diagram. The inspection team leader shall designate on the site diagram the launcher containing the ICBM to be inspected.
- (d) If a designated fixed structure for rail-mobile launchers of ICBMs or a designated rail-mobile launcher of ICBMs does not contain a deployed ICBM, a member of the in-country escort shall so inform the inspection team leader, who shall designate, in accordance with the procedures provided for in subparagraph (b) of this paragraph, another fixed structure or another launcher containing the ICBM to be inspected.

- (e) The inspection team leader shall have the right to designate for inspection one of the fixed structures for rail-mobile launchers of ICBMs or one of the rail-mobile launchers of ICBMs identified by a member of the in-country escort, in accordance with subparagraph (d) of this paragraph, as not containing deployed ICBMs. The purpose of such an inspection shall be to confirm that such a fixed structure or such a rail-mobile launcher of ICBMs does not contain a deployed ICBM.

13. For submarine bases:

- (a) If no launcher of SLBMs at the submarine base contains a deployed SLBM, a member of the in-country escort shall so inform the inspection team leader.
- (b) Unless a member of the in-country escort has informed the inspection team leader that no SLBM launcher at the base contains a deployed SLBM, the inspection team leader shall designate, using the annotated site diagram or map provided for in paragraph 8 of this Section, the ballistic missile submarine containing the SLBM to be inspected.
- (c) If no SLBM launcher on the designated submarine contains a deployed SLBM, a member of the in-country escort shall so inform the inspection team leader, who shall designate for inspection, in accordance with the procedures provided for in subparagraph (b) of this paragraph, another ballistic missile submarine.
- (d) Unless a member of the in-country escort has informed the inspection team leader that no SLBM launcher on the designated submarine contains a deployed SLBM, the inspection team leader shall designate the SLBM launcher containing the SLBM to be inspected.
- (e) If the designated SLBM launcher does not contain a deployed SLBM, a member of the in-country escort shall so inform the inspection team leader, who shall designate, in accordance with the procedures provided for in subparagraph (d) of this paragraph, another SLBM launcher from among those SLBM launchers located on the same ballistic missile submarine.
- (f) The inspection team leader shall have the right to designate for inspection one of the SLBM launchers identified by a member of the in-country escort, in accordance with subparagraph (c) or (e) of this paragraph, as not containing deployed SLBMs. The purpose of such an inspection shall be to confirm that such an SLBM launcher does not contain a deployed SLBM.
- (g) SLBM launchers on submarines in dry dock may not be designated for a reentry vehicle inspection.

14. The inspected Party shall transport the inspection team to the designated launcher of ICBMs or SLBMs, to the designated restricted area, or to the designated fixed structure for mobile launchers of ICBMs that contain the deployed ICBM or SLBM to be inspected, without undue delay and within the following period of time:

- (a) to a rail-mobile launcher of ICBMs: no later than three hours after completion of pre-inspection procedures;
- (b) to an SLBM launcher: no later than three hours after completion of pre-inspection procedures;
- (c) to a restricted area located at a straight line distance of less than 100 kilometers from the maintenance facility: no later than five hours after completion of pre-inspection procedures;
- (d) to a restricted area located at a straight line distance of 100 kilometers or more from the maintenance facility: no later than eight hours after completion of pre-inspection procedures; or
- (e) to a silo launcher of ICBMs: no later than eight hours after completion of pre-inspection procedures.

The times for transportation of an inspection team, provided for in this paragraph, shall also apply to the transportation of subgroups of an inspection team to the designated launcher of ICBMs or SLBMs, to the designated restricted area, or to the designated fixed structure for mobile launchers of ICBMs to confirm that they do not contain a deployed ICBM or SLBM.

15. For the purposes of this Section, a launcher of ICBMs or SLBMs containing an ICBM or SLBM without a front section shall be considered not to contain an ICBM or SLBM; in this connection, the inspection of such a launcher of ICBMs or SLBMs shall be conducted in accordance with the procedures provided for in subparagraph 7(c) of Annex 3 to this Protocol.

16. Reentry vehicle inspections shall be conducted in accordance with the procedures provided for in Annex 3 to this Protocol.

17. If a front section of an ICBM or SLBM to be inspected is viewed at a location outside the boundaries of the inspection site, the provisions of Section VI of this Protocol pertaining to the inspection site shall apply to that location, except for paragraph 3 of Section VI of this Protocol.

18. If an inspection team subgroup conducting an inspection, in accordance with paragraph 9 of this Section, of a launcher of ICBMs or SLBMs or a fixed structure for mobile launchers of ICBMs declared not to contain a deployed ICBM or SLBM discovers that such a launcher or fixed structure contains an ICBM or SLBM, the inspection team may inspect that ICBM or SLBM in addition to the ICBM or SLBM previously designated for inspection. The inspection of such an ICBM or SLBM shall not be counted against the quota provided for in paragraph 1 of this Section.

19. If a member of the in-country escort has reported that the ICBM base or submarine base to be inspected does not contain deployed ICBMs or deployed SLBMs, the inspection team leader shall have the right to:

- (a) designate an inspection site associated with the same point of entry in accordance with the provisions provided for in paragraph 16 of Section V, or in paragraph 36 or 37 of Section VI of this Protocol;
- (b) designate for inspection a launcher of ICBMs or SLBMs, restricted area, or fixed structure for mobile launchers of ICBMs, as provided for in subparagraph 10(d), 11(g), 12(e), or 13(f) of this Section, to confirm that such a launcher of ICBMs or SLBMs, fixed structure, or restricted area does not contain deployed ICBMs or deployed SLBMs. In this case the inspection shall be counted against the quota provided for in paragraph 1 of this Section; or
- (c) to decline to conduct an inspection and to leave the territory of the inspected Party. In this case the number of reentry vehicle inspections for deployed ICBMs or deployed SLBMs to which the inspecting Party is entitled shall not be reduced.

X. Post-Dispersal Inspections of Deployed Mobile Launchers of ICBMs and their Associated Missiles Conducted Pursuant to Paragraph 7 of Article XI of the Treaty

1. Each Party shall have the right to conduct post-dispersal inspections of deployed mobile launchers of ICBMs and their associated missiles after a notification has been provided in accordance with paragraph 12 of Section II of the Notification Protocol. Such inspections shall be conducted at ICBM bases for mobile launchers of ICBMs specified in such a notification, subject to the following:

- (a) for an exercise dispersal that involved only road-mobile launchers of ICBMs and their associated missiles, the inspecting Party shall have the right to inspect no more than 40 percent of the total number of ICBM bases for road-mobile launchers of ICBMs that were involved in the dispersal, or one such ICBM base for road-mobile launchers of ICBMs, whichever is greater;
- (b) for an exercise dispersal that involved only rail-mobile launchers of ICBMs and their associated missiles, the inspecting Party shall have the right to inspect no more than 40 percent of the total number of ICBM bases for rail-mobile launchers of ICBMs that were involved in the dispersal, or one such ICBM base for rail-mobile launchers of ICBMs, whichever is greater;
- (c) for an exercise dispersal that involved both road-mobile and rail-mobile launchers of ICBMs and their associated missiles, the inspecting Party shall have the right to inspect no more than 40 percent of the total number of ICBM bases for road-mobile launchers of ICBMs that were involved in the dispersal, or one such

ICBM base for road-mobile launchers of ICBMs, whichever is greater, and no more than 40 percent of the total number of ICBM bases for rail-mobile launchers of ICBMs that were involved in the dispersal, or one such ICBM base for rail-mobile launchers of ICBMs, whichever is greater.

2. Neither Party shall have the right to conduct a post-dispersal inspection of deployed mobile launchers of ICBMs and their associated missiles concurrently with any other type of inspection at the same inspection site. Neither Party shall have the right to conduct, at the same inspection site, a post-dispersal inspection of deployed mobile launchers of ICBMs and their associated missiles concurrently with the implementation of cooperative measures to enhance the effectiveness of national technical means of verification.

3. From the time of completion of an exercise dispersal specified in a notification provided in accordance with paragraph 12 of Section II of the Notification Protocol, the inspected Party shall implement the following pre-inspection restrictions at all ICBM bases for mobile launchers of ICBMs specified in such a notification:

- (a) Mobile launchers of ICBMs and their associated missiles shall not be removed from restricted areas, rail garrisons, or maintenance facilities.
- (b) The inspected Party shall not begin any work associated with the removal of ICBMs from mobile launchers of ICBMs, except that such work shall be permitted at the maintenance facility.

Pre-inspection restrictions shall not apply to work carried out to deal with an emergency involving a launcher or a missile.

4. All ICBM bases for mobile launchers of ICBMs to be inspected shall be designated by the inspection team leaders in accordance with paragraph 15 of Section V of this Protocol and within the time provided for in subparagraph 4(c) of Section III of this Protocol. If an inspection team leader has designated an inspection site less than four hours after arrival at the point of entry and before the inspected Party has completed the examination of equipment brought in by the inspectors, the inspected Party shall have the right to complete that examination after the designation of the inspection site by the inspection team leader. The period for the transportation of the inspection team to the inspection site, provided for in paragraph 14 of Section VI of this Protocol, shall begin upon completion of the examination of equipment but no later than four hours after the designation of the inspection site.

5. Pre-inspection restrictions shall remain in effect until an inspection team or inspection teams specify all ICBM bases for mobile launchers of ICBMs to be inspected. Pre-inspection restrictions at ICBM bases for mobile launchers of ICBMs to be inspected shall remain in effect until inspectors arrive there and pre-inspection procedures have been completed.

6. Upon arrival of the inspection team at the inspection site, a member of the in-country escort shall inform the inspection team leader of the number of mobile launchers of ICBMs and their associated missiles located at the inspection site and provide the inspection team leader with a copy of the simplified site diagram of the inspection site and all site diagrams of the inspection site, annotated to indicate the current location at the inspection site of such items and those structures in which they are located. For ICBM bases for road-mobile launchers of ICBMs, a member of the in-country escort shall also inform the inspection team leader, for each restricted area, of each road-mobile launcher of ICBMs within the deployment area that has not returned to the restricted area of the inspected ICBM base, except road-mobile launchers of ICBMs that are on relocation outside the deployment area or are being transported by air, rail, or by waterborne vehicles within the deployment area.

7. For each road-mobile launcher of ICBMs that has not returned to the restricted area and of which the inspection team leader was informed in accordance with paragraph 6 of this Section, a member of the in-country escort shall, at the choice of that member, either designate the geographic coordinates of such a mobile launcher of ICBMs or ensure transportation of the inspectors to such a mobile launcher of ICBMs.

8. For an ICBM base for road-mobile launchers of ICBMs, the inspection team leader shall designate, upon completion of the pre-inspection procedures, the restricted area or restricted areas of the ICBM base that are to be inspected. The inspected Party shall transport the inspection team or subgroups of the inspection team to the designated restricted areas within the following time period:

- (a) to a restricted area located at a straight-line distance of less than 100 kilometers from the maintenance facility: no later than five hours after completion of pre-inspection procedures;
- (b) to a restricted area located at a straight-line distance of 100 kilometers or more from the maintenance facility: no later than eight hours after completion of pre-inspection procedures.

9. The inspection team shall have the right to inspect all restricted areas and the maintenance facility that are part of the ICBM base for road-mobile launchers of ICBMs to be inspected, or the rail garrison and the maintenance facility that are part of the ICBM base for rail-mobile launchers of ICBMs to be inspected. For ICBM bases for road-mobile launchers of ICBMs, if the inspection team intends to inspect road-mobile launchers of ICBMs that have not returned to restricted areas and whose geographic coordinates have not been designated in accordance with paragraph 7 of this Section, the inspection team leader shall also indicate the subgroup to conduct such an inspection.

10. Pre-inspection restrictions shall remain in effect in each restricted area, rail garrison, and maintenance facility to be inspected until inspectors arrive there.

11. Inspectors shall have the right, subject to the provisions of paragraph 5 of Annex 6 to this Protocol, to read the data from the unique identifiers on all

ICBMs for mobile launchers of ICBMs, except for ICBMs deployed on mobile launchers of ICBMs that have not returned to restricted areas and whose geographic coordinates have been designated by a member of the in-country escort in accordance with paragraph 7 of this Section.

12. During the period of inspection, mobile launchers of ICBMs located within restricted areas designated to be inspected or within a rail garrison designated to be inspected may leave those restricted areas or that rail garrison only with the consent of the inspectors.

13. During each post-dispersal inspection of deployed mobile launchers of ICBMs and their associated missiles, inspectors shall have the right to ascertain that the aggregate number of mobile launchers of ICBMs and their associated missiles located at the inspection site and the number of such items that have not returned there following the completion of the dispersal does not exceed the number specified for the inspected ICBM base. For that purpose, inspectors shall have the right to inspect the entire inspection site, subject to the procedures provided for in Annexes 1 and 2 to this Protocol.

XI. Conversion or Elimination Inspections Conducted Pursuant to Paragraph 8 of Article XI of the Treaty

1. Each Party shall conduct, and shall have the right to conduct, 45 days after entry into force of the Treaty and thereafter, conversion or elimination inspections in accordance with the provisions provided for in this Section and the procedures provided for in the Conversion or Elimination Protocol.

2. Upon arrival of the inspection team at the location specified in a notification provided in accordance with paragraph 1 of Section IV of the Notification Protocol, the inspected Party shall provide the inspection team with a schedule of conversion or elimination activities.

3. Within the period of time provided for in paragraph 1 of Section VII of this Protocol for baseline data inspections, each Party shall have the right to implement conversion or elimination procedures at no more than two sites at any one time if such procedures provide for conversion or elimination inspections.

4. The inspecting Party shall have the right to replace its inspectors conducting conversion or elimination inspections, subject to the following provisions:

- (a) For each inspection site, replacement of inspectors shall be carried out not more than once every three weeks, and the number of inspectors subject to replacement in each case shall not be less than 50 percent of the inspectors located there.
- (b) Replacement of inspectors shall be carried out at the inspection site, subject to the limitation on the maximum number of inspectors provided for in paragraph 28 of Section VI to this Protocol. If at any time the total of the number of inspectors at the inspection site and the number of those arriving on the territory of the inspected Party

for replacement exceeds the maximum number of inspectors provided for in paragraph 28 of Section VI of this Protocol, the replacement of inspectors shall be carried out at the airport closest to the inspection site.

- (c) Before the departure of the outgoing inspection team leader from the inspection site, the inspection team leader and a member of the in-country escort shall confirm in the inspection report that the inspection team as then constituted has completed its inspection with respect to the items presented to that team and shall indicate the number of items of each type for which elimination procedures have been completed. The specific procedures for eliminating the last item undergoing elimination at that site that were observed by the inspection team headed by the outgoing leader shall be completed before the departure of the outgoing inspection team leader from the inspection site.
- (d) The inspected Party shall not resume the elimination procedures until the pre-inspection procedures have been completed for the newly arrived inspectors. Any delay in the resumption of the elimination procedures caused by the arrival of a new inspection team leader shall not exceed three hours.

5. In the case of a delay in the initiation of activities beyond the scheduled date specified in the notification provided in accordance with paragraph 1 of Section IV of the Notification Protocol:

- (a) if the delay is five days or less and the inspection team is either en route to the point of entry or has arrived on the territory of the inspected Party, the inspected Party shall decide whether the inspection team should be located at the point of entry or at the inspection site for the period of the delay; or
- (b) if the delay is more than five days and the inspection team has arrived on the territory of the inspected Party, the inspection team shall leave the territory of the inspected Party, unless the Parties agree otherwise.

6. For the elimination of ICBMs for mobile launchers of ICBMs and their launch canisters, inspectors shall make the observations and measurements subject to the provisions of paragraphs 3 and 6 of Section I of the Conversion or Elimination Protocol.

7. At conversion or elimination facilities where ICBMs for mobile launchers of ICBMs and their launch canisters are eliminated by burning, explosive demolition, or explosion, as provided for in paragraphs 4 and 5 of Section I of the Conversion or Elimination Protocol, the inspected Party shall provide inspectors with binoculars that permit observation of the elimination process from a place designated by a member of the in-country escort.

8. For the elimination of road-mobile launchers of ICBMs, road-mobile training launchers, rail-mobile launchers of ICBMs, and rail-mobile training launchers, inspectors shall make observations and measurements subject to the provisions of paragraphs 2, 3, and 4 of Section III of the Conversion or Elimination Protocol.

9. For the eliminated fixed structures for mobile launchers of ICBMs, inspectors shall have the right to make observations subject to the provisions of paragraph 8 of Section III of the Conversion or Elimination Protocol. The inspecting Party shall have the right to conduct an inspection of such a fixed structure within the 90-day period beginning on the date of the completion of the elimination process. Such an inspection shall be conducted during a baseline data inspection, data update inspection, reentry vehicle inspection, post-dispersal inspection of deployed mobile launchers of ICBMs and their associated missiles, or close-out inspection at the facility at which the fixed structure was located.

10. For the elimination of heavy bombers or former heavy bombers, inspectors shall have the right to make observations and measurements subject to the provisions of paragraphs 2 and 8 of Section VI of the Conversion or Elimination Protocol. Except for those cases when the initiation of the process of elimination of a heavy bomber equipped for long-range nuclear ALCMs was verified by inspection, the inspecting Party shall have the right to conduct an inspection within the 90-day period beginning on the date of completion of the elimination process to confirm that the elimination of each heavy bomber or former heavy bomber has been completed.

11. For converted heavy bombers, inspectors shall have the right to make observations and measurements subject to the provisions of paragraph 13 of Section VI of the Conversion or Elimination Protocol. The inspecting Party shall have the right to conduct an inspection within the 20-day period that begins on the date the converted heavy bomber arrives at the viewing site at the conversion or elimination facility as provided for in paragraph 13 of Section VI of the Conversion or Elimination Protocol, to confirm that it has been converted.

12. For changing the accountability of ICBMs, SLBMs, launch canisters, ICBM launchers, SLBM launchers, heavy bombers, and former heavy bombers by placing them on static display, inspectors shall have the right to make observations and measurements subject to the provisions of paragraph 5 of Section VIII of the Conversion or Elimination Protocol. The inspecting Party shall have the right to conduct such an inspection within the 30-day period that begins on the date of the receipt of the notification provided in accordance with paragraph 4 of Section IV of the Notification Protocol.

XII. Close-Out Inspections Conducted Pursuant to Paragraph 9 of Article XI of the Treaty

1. Each Party shall have the right to conduct close-out inspections at the facilities specified in paragraph 2 of this Section, the elimination of which has been specified in a notification provided in accordance with paragraph 3 of Section I of the Notification Protocol. Each such inspection shall be conducted within 60 days after such notification has been provided, or, for facilities that were specified in the Memorandum of Understanding but not specified in the

notification provided in accordance with paragraph 1 of Section I of the Notification Protocol, within the period of time provided for in paragraph 1 of Section VII of this Protocol for baseline data inspections. No more than one close-out inspection shall be conducted at each facility.

2. Each Party shall have the right to conduct close-out inspections at any of the following facilities: ICBM bases; submarine bases; ICBM loading facilities; SLBM loading facilities; repair facilities for ICBMs, SLBMs, or mobile launchers of ICBMs; storage facilities for ICBMs, SLBMs, mobile launchers of ICBMs, heavy bombers, or former heavy bombers; training facilities for ICBMs, SLBMs, or heavy bombers; conversion or elimination facilities for ICBMs, SLBMs, or mobile launchers of ICBMs; test ranges; air bases for heavy bombers; and air bases for former heavy bombers.

3. The inspected Party shall transport the inspection team to the location specified in the notification provided in accordance with paragraph 3 of Section I of the Notification Protocol no later than 48 hours after its arrival at the point of entry.

4. Each Party shall have the right to conduct no more than two close-out inspections at any one time. No more than one such inspection utilizing the same point of entry shall be conducted at any one time.

5. A facility, the elimination of which has been specified in a notification provided in accordance with paragraph 3 of Section I of the Notification Protocol, shall not be subject to any inspection other than a close-out inspection until such an inspection is conducted or until the expiration of the 60-day period provided for such an inspection in paragraph 1 of this Section, whichever occurs earlier. If a facility that is specified in paragraph 2 of this Section is subject to a close-out inspection, that facility shall not be subject to a baseline data inspection.

6. During the course of each close-out inspection, inspectors shall have the right to confirm that the elimination procedures provided for in paragraph 2 of Section IX of the Conversion or Elimination Protocol have been completed. Inspectors shall have the right to inspect the entire inspection site, subject to the procedures provided for in Annex 1 to this Protocol.

XIII. Formerly Declared Facility Inspections Conducted Pursuant to Paragraph 10 of Article XI of the Treaty

1. Each Party shall have the right, 165 days after entry into force of the Treaty and thereafter, to conduct formerly declared facility inspections. Each Party shall have the right to conduct a total of three such inspections each year, with no more than two such inspections each year at any one facility. Such inspections may be conducted at facilities specified in paragraph 2 of this Section, the elimination of which has been specified in a notification provided in accordance with paragraph 3 of Section I of the Notification Protocol. For each such facility, formerly declared facility inspections may be conducted after close-out inspections have been conducted or, if such an inspection was not conducted, beginning 60 days after notification has been provided, in accordance with paragraph 3 of Section I of the Notification Protocol, of the elimination of the facility.

2. Each Party shall have the right to conduct formerly declared facility inspections at any of the following facilities: ICBM bases; submarine bases; ICBM loading facilities; SLBM loading facilities; repair facilities for ICBMs, SLBMs, or mobile launchers of ICBMs; storage facilities for ICBMs, SLBMs, or mobile launchers of ICBMs; training facilities for ICBMs or SLBMs; conversion or elimination facilities for ICBMs, SLBMs, or mobile launchers of ICBMs; and test ranges.

3. No later than one hour after the time for the designation of the inspection site, specified in a notification provided in accordance with paragraph 3 or 8 of Section III of this Protocol, the inspected Party shall implement pre-inspection restrictions at the inspection site, which shall remain in effect until the inspection team completes the pre-inspection procedures. During the period of time that pre-inspection restrictions are in effect, containers, launch canisters, and enclosed vehicles, large enough to contain an item of inspection of the inspected Party and covered or environmentally protected objects large enough to contain or to be such items shall not be removed from the inspection site.

4. Each Party shall have the right to conduct no more than two formerly declared facility inspections at any one time. No more than one such inspection utilizing the same point of entry shall be conducted at any one time.

5. Inspectors shall have the right to inspect the entire inspection site, subject to the procedures provided for in Annex 1 to this Protocol.

XIV. Technical Characteristics Exhibitions and Inspections Conducted Pursuant to Paragraph 11 of Article XI of the Treaty

1. Except as provided for in paragraph 3 of this Section and subparagraphs 5(c) and 5(d) of Annex 11 to this Protocol, each Party shall conduct, no earlier than three days after notification has been provided in accordance with paragraph 1 of Section I of the Notification Protocol, but no later than 45 days after entry into force of the Treaty, technical characteristics exhibitions required by paragraph 11 of Article XI of the Treaty, of an ICBM and an SLBM of each type and variant thereof, and each version of a mobile launcher of ICBMs for each type of ICBM for mobile launchers of ICBMs, existing as of the date of entry into force of the Treaty. An exhibition of an ICBM or SLBM shall include an exhibition, in accordance with the procedures provided for in Annex 11 to this Protocol, of the ICBM or the SLBM; the first stage of the ICBM or SLBM; the launch canister, if applicable; and the self-contained dispensing mechanism, if applicable. Such exhibitions shall be pre-scheduled by agreement between the Parties.

2. Subsequent technical characteristics exhibitions of ICBMs and SLBMs of each new type, notification of which has been provided in accordance with paragraph 4 of Section VII of the Notification Protocol, and of new variants of ICBMs and SLBMs and new versions of mobile launchers of ICBMs, notification of which has been provided in accordance with paragraph 3 of Section I of the Notification Protocol, shall be conducted at the times specified in such notifications. Technical characteristics exhibitions of mobile launchers of ICBMs of each new type of ICBMs for mobile launchers of ICBMs shall be conducted at

the same time as the technical characteristics exhibition of the ICBM for mobile launchers of ICBMs of the new type. An exhibition of an ICBM or SLBM of a new type shall include an exhibition, in accordance with the procedures provided for in Annex 11 to this Protocol, in close proximity, of the ICBM or SLBM; the first stage of the ICBM or SLBM; the launch canister, if applicable; and the self-contained dispensing mechanism, if applicable. Technical characteristics exhibitions shall be conducted separately from, and in addition to, baseline data inspections and data update inspections.

3. If, during exhibitions conducted in accordance with the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Early Exhibitions of Strategic Offensive Arms Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms of July 31, 1991, the purpose of technical characteristics exhibitions has been met concerning data specified in the notification provided in accordance with paragraph 1 of Section I of the Notification Protocol for items existing as of entry into force of the Treaty, the technical characteristics exhibitions otherwise required to be conducted during the period provided for in paragraph 1 of this Section shall not be required. Technical characteristics exhibitions during this time period shall be required only concerning data on characteristics that have not been so demonstrated.

4. The technical characteristics exhibition sites shall be chosen by the inspected Party.

5. The inspection team shall arrive on the territory of the inspected Party no later than one day and no earlier than three days before the exhibition date. The inspected Party shall transport the inspection team to the exhibition site so that the inspection team arrives at the site in a timely manner.

6. During pre-inspection procedures for technical characteristics exhibitions, a member of the in-country escort shall:

- (a) inform inspectors of the numbers of each type, variant and version, whichever is applicable, of the exhibited items; and
- (b) point out to the inspectors, when applicable, in photographs, slides or drawings, the distinguishing features or external differences of such items.

7. During a technical characteristics exhibition, a member of the in-country escort shall point out the specific places on each exhibited item where measurements were taken to obtain the specified technical data and to obtain the dimensions specified in paragraphs 13, 14, 16, and, if applicable, 15, of Annex J to the Memorandum of Understanding. For measurements of the first stage of a solid propellant ICBM for mobile launchers of ICBMs, the inspected Party shall exhibit the first stage of such an ICBM in a configuration that permits inspectors to confirm the reference cylinder as provided for in subparagraph (a) (i) of paragraph 23 of Section VI of this Protocol. A member of the in-country escort shall point out the places on such a first stage that permit measurement of the

distance from the point where the aft end dome of the motor case joins with the nozzle to the upper point of the forward end dome of the motor case, and the maximum diameter of such a stage excluding protruding elements. If necessary, the in-country escort shall have the right to use diagrams or sketches to indicate such places. Inspectors shall have the right to make such measurements. Such measurements shall be recorded pursuant to paragraph 19 of Section VI of this Protocol.

8. During technical characteristics exhibitions, inspectors shall have the right to confirm the length and diameter of the first stage of an ICBM and SLBM of each type and variant, as well as the diameter of the second or third stage if that diameter differs from the diameter of the first stage, and the length and diameter of the assembled ICBM or SLBM, as provided for in Annex 11 to this Protocol.

9. If a Party declares a new type of ICBM or SLBM in a notification provided in accordance with paragraph 4 of Section VII of the Notification Protocol, and if this new type is declared on the basis of a change in the first stage length used for confirming a new type, with or without a change in the throw-weight, compared to the first stage length of an ICBM or SLBM, respectively, of appropriate existing types and previously declared new types, the notifying Party shall:

- (a) exhibit the first stage of the ICBM or SLBM of the new type for the purpose of confirming the first stage length used for confirming a new type of ICBM or SLBM; and
- (b) exhibit the first stage of the ICBM or SLBM of appropriate existing types or previously declared new types of ICBMs or SLBMs, respectively, for the purpose of confirming the first stage length used for confirming a new type of ICBM or SLBM, if the length used for confirming a new type of ICBM or SLBM has not been previously confirmed on an ICBM or SLBM, respectively, of such existing types or previously declared new types of ICBMs or SLBMs.

When necessary, specific procedures for measuring the first stage length used for confirming a new type of an ICBM or SLBM shall be agreed within the framework of the Joint Compliance and Inspection Commission.

10. If a Party declares a new type of ICBM or SLBM in a notification provided in accordance with paragraph 4 of Section VII of the Notification Protocol, and if that new type is declared on the basis of a change in the launch weight of an ICBM or SLBM of that new type from the launch weight of an ICBM or SLBM, respectively, of appropriate existing types and previously declared new types, the inspecting Party shall have the right to weigh, or to determine by other agreed means the weight of, the ICBM or SLBM of the new type and ICBMs or SLBMs of an appropriate existing type or previously declared new type in order to verify their launch weights. Procedures for weighing or determining by other means the weight of such ICBMs or SLBMs shall be agreed within the framework of the Joint Compliance and Inspection Commission before the beginning of deployment of an ICBM or SLBM of such a new type.

11. If one Party declares a new type of ICBM or SLBM that the other Party believes has demonstrated a launch weight greater than 106,000 kilograms, the other Party shall have the right to raise its concern in the Joint Compliance and Inspection Commission. Resolution of the issue may include, among other things, an agreement to weigh, or to determine by other means the weight of, the ICBM or SLBM in question in order to assist in the verification of its launch weight.

12. *Procedures for weighing or for other means of determining the weight of ICBMs or SLBMs shall be agreed within the framework of the Joint Compliance and Inspection Commission no later than one year after a Party has proposed procedures for weighing or for other means of determining the weight of ICBMs or SLBMs.*¹

13. For an ICBM for road-mobile launchers of ICBMs of a new type or for an ICBM for rail-mobile launchers of ICBMs of a new type, whichever is applicable, during the technical characteristics exhibition, the inspected Party shall demonstrate distinguishing features pursuant to paragraph 9 of Article III of the Treaty.

- (a) If an ICBM for mobile launchers of ICBMs of a new type is larger either in length or diameter than the launch canister for an ICBM for mobile launchers of ICBMs of each existing type or previously declared new type, technical characteristics exhibitions pursuant only to paragraph 2 of this Section shall be required.
- (b) For an ICBM for mobile launchers of ICBMs of a new type, exhibited in accordance with paragraph 2 of this Section, if the length and the diameter of the ICBM for mobile launchers of ICBMs of a new type are less than or equal to the length and less than or equal to the diameter, respectively, of the launch canister for an ICBM for mobile launchers of ICBMs of an existing type or previously declared new type, and if either Party believes that the additional procedures during the exhibition are necessary, based on the information contained in the notification provided in accordance with paragraph 4 of Section VII of the Protocol on Notification, with respect to the adequacy of the features that distinguish: the launch canister for ICBMs for mobile launchers of ICBMs of the new type of ICBM from the launch canister for ICBMs for mobile launchers of ICBMs of each existing type of ICBM or previously declared new type of ICBM; the mobile launcher of ICBMs for ICBMs of the new type from the mobile launchers of ICBMs for ICBMs of each existing type or previously declared new type; the mobile launcher of ICBMs with the associated missile of the new type installed from the mobile launcher of ICBMs with the associated missile of each existing type or previously declared new type installed, then the Party that has provided the notification shall conduct such an exhibition subject to the following additional procedures, unless otherwise agreed:

¹ JCIC Agreement No. 38, Article One.

- (i) The ICBM for mobile launchers of ICBMs of the new type shall be exhibited in close proximity to the launch canister for such an ICBM, containing an assembled ICBM without front section or, at the choice of the inspected Party, an empty launch canister associated with such an ICBM; a launch canister for an ICBM for mobile launchers of ICBMs of each existing type and previously declared new type, containing an assembled ICBM without front section or, at the choice of the inspected Party, an empty launch canister associated with an ICBM for mobile launchers of ICBMs of each existing type and previously declared new type of ICBM; and a mobile launcher of ICBMs of each existing type and previously declared new type of ICBM;
- (ii) The inspected Party shall demonstrate the functionally related and external differences that distinguish the launch canister for the ICBM for mobile launchers of ICBMs of the new type from the launch canister of each existing type and previously declared new type of ICBMs for mobile launchers of ICBMs; and
- (iii) The inspected Party shall demonstrate that the launch of an ICBM for mobile launchers of ICBMs of each existing type and previously declared new type cannot be carried out from the launch canister for the ICBM for mobile launchers of ICBMs of the new type, and that a launch of an ICBM for mobile launchers of ICBMs of the new type cannot be carried out from the launch canister for the ICBM for mobile launchers of ICBMs of each existing type and previously declared new type. If the incapability to carry out such launches has not been demonstrated to the satisfaction of the inspecting Party, the inspecting Party may raise the issue within the framework of the Joint Compliance and Inspection Commission.

14. Technical characteristics exhibitions shall be carried out in accordance with the procedures provided for in Annexes 8 and 11 to this Protocol.

15. During inspections conducted during technical characteristics exhibitions, a member of the in-country escort, at the request of the inspectors, shall photograph each exhibited item in order to obtain three photographs of that item that satisfy the requirements provided for in paragraph 10 of Annex J to the Memorandum of Understanding. Such photographs shall be produced using a camera system of the inspected Party. If an ambiguous situation arises, a member of the in-country escort, at the request of the inspectors, shall take photographs, subject to the provisions of paragraphs 18 and 27 of Section VI of this Protocol, using the camera system of the inspection team.

XV. Distinguishability Exhibitions and Inspections and Baseline Exhibitions and Inspections Conducted Pursuant to Paragraphs 12 and 13, Respectively, of Article XI of the Treaty, and Exhibitions of Long-Range Non-Nuclear ALCMs Conducted Pursuant to Notifications Provided in Accordance with Section VII of the Notification Protocol.

1. Except as provided for in paragraph 6 of this Section, each Party shall conduct, no earlier than three days after notification has been provided in accordance with paragraph 1 of Section I of the Notification Protocol, but no later than 45 days after entry into force of the Treaty, distinguishability exhibitions, required by paragraph 12 of Article XI of the Treaty, of heavy bombers, former heavy bombers, and long-range nuclear ALCMs of types, categories, and variants existing as of the date of entry into force of the Treaty. Such exhibitions shall be pre-scheduled by agreement between the Parties.

2. Each Party shall conduct, no earlier than the completion of distinguishability exhibitions by that Party, but no later than 165 days after entry into force of the Treaty, baseline exhibitions, required by paragraph 13 of Article XI of the Treaty, of heavy bombers equipped for non-nuclear armaments, former heavy bombers, and training heavy bombers existing as of the date of entry into force of the Treaty. Such exhibitions shall be pre-scheduled by agreement between the Parties.

3. Subsequent distinguishability exhibitions conducted in connection with events, notification of which has been provided in accordance with Section VII of the Notification Protocol, shall be conducted no earlier than 15 days and no later than 30 days after such a notification has been provided. During such a subsequent distinguishability exhibition, the inspected Party shall not be required to exhibit all categories or, if applicable, all variants of an item of a particular type, provided that the purpose of the exhibition is met by a combination of the current exhibition and previous distinguishability exhibitions concerning that type. Such exhibitions shall be conducted separately from, and in addition to, baseline data inspections and data update inspections.

4. Subsequent baseline exhibitions of heavy bombers equipped for nuclear armaments other than long-range nuclear ALCMs shall be conducted no earlier than 15 days and no later than 135 days after notification that a long-range nuclear ALCM has been flight-tested from a heavy bomber of a type, from none of which a long-range nuclear ALCM had previously been flight-tested, has been provided in accordance with paragraph 10 of Section VII of the Notification Protocol. One such exhibition shall be conducted at each air base at which heavy bombers of that type equipped for nuclear armaments other than long-range nuclear ALCMs are specified to be based. Pre-inspection procedures for such an exhibition shall be carried out in accordance with the provisions of paragraph 8 of Section VII of this Protocol, to the extent that such provisions relate to the heavy bombers to be exhibited. During such pre-inspection procedures, the inspectors shall have the right to designate for inspection no more than 30 percent of such heavy bombers specified to be based at each air base. The inspectors shall not have the right to designate alert heavy bombers for inspection during such baseline exhibitions.

5. Exhibitions of long-range non-nuclear ALCMs pursuant to notification provided in accordance with Section VII of the Notification Protocol shall be conducted no earlier than 15 days and no later than 30 days after such a notification has been provided. Such exhibitions shall be conducted separately from, and in addition to, baseline data inspections and data update inspections.

6. If, during exhibitions conducted pursuant to the Agreement Between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Early Exhibitions of Strategic Offensive Arms Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms of July 31, 1991, the purpose of distinguishability exhibitions has been met concerning data specified in the notification provided in accordance with paragraph 1 of Section I of the Notification Protocol for items existing as of entry into force of the Treaty, the distinguishability exhibitions otherwise required to be conducted during the period provided for in paragraph 1 of this Section shall not be required. Distinguishability exhibitions during this time period shall be required only concerning data on characteristics that have not been so demonstrated.

7. The sites of such exhibitions shall be chosen by the inspected Party.

8. The inspection team shall arrive on the territory of the inspected Party no later than one day and no earlier than three days before the exhibition date. The inspected Party shall transport the inspection team to the exhibition site so that the inspection team arrives at the site in a timely manner.

9. Such exhibitions shall be carried out in accordance with the procedures provided for in Annex 4 to this Protocol.

10. During inspections of heavy bombers, former heavy bombers, and long-range nuclear ALCMs conducted during distinguishability exhibitions, and during inspections of long-range non-nuclear ALCMs conducted during exhibitions pursuant to a notification provided in accordance with Section VII of the Notification Protocol, a member of the in-country escort, at the request of the inspectors, shall photograph each exhibited item in order to obtain three photographs of that item that satisfy the requirements provided for in paragraph 10 of Annex J to the Memorandum of Understanding. Such photographs shall be produced using a camera system of the inspected Party. If an ambiguous situation arises, a member of the in-country escort, at the request of the inspectors, shall take photographs, subject to the provisions of paragraph 18 and 27 of Section VI of this Protocol, using the camera system of the inspection team.

XVI. Continuous Monitoring Activities Conducted Pursuant to Paragraph 14 of Article XI of the Treaty

1. Each Party shall have the right, 30 days after entry into force of the Treaty and thereafter, to conduct continuous monitoring activities.

2. Each Party shall have the right to conduct continuous monitoring activities at production facilities for ICBMs for mobile launchers of ICBMs

specified in paragraphs 3 and 4 of Annex I to the Memorandum of Understanding.

3. Continuous monitoring activities shall cease at a monitored facility at which production of ICBMs for mobile launchers of ICBMs or first stages of such ICBMs has ceased, no later than one year after notification of the cessation of such production has been provided in accordance with paragraph 12 of Section I of the Notification Protocol, except that if such production ceases prior to May 31, 1994, continuous monitoring activities shall be permitted until May 31, 1995. Beginning on the date on which continuous monitoring activities are no longer permitted at such a facility:

- (a) That facility shall be subject to a new facility inspection and data update inspections, in accordance with the provisions of Section VII of this Protocol, if it has been converted to a facility of a category listed in paragraph 5 of Section VII of this Protocol.
- (b) That facility shall be subject to suspect-site inspections if it has not been converted to a facility of a category listed in paragraph 5 of Section VII of this Protocol.

4. If the inspected Party intends to produce at a monitored facility ICBMs or SLBMs or first stages for such ICBMs or SLBMs that are not subject to the numerical limits on non-deployed missiles provided for in paragraph 1 of Article IV of the Treaty and that are as large as or larger than the size criteria as provided for in paragraph 24 of Section VI of this Protocol, the inspected Party shall notify the inspecting Party no less than 180 days in advance of the planned exit of the first such ICBM, SLBM, or first stage. The Parties shall agree on additional verification procedures in the Joint Compliance and Inspection Commission in an expeditious manner so as not to delay the exit of the first ICBM, SLBM, or first stage of an ICBM or SLBM.

5. The inspected Party shall determine the perimeter of each facility subject to continuous monitoring that has been specified in a notification provided in accordance with paragraph 10 of Section III of this Protocol and shall not change it without prior notification to the inspecting Party. The inspected Party shall construct and maintain a fence around the perimeter of each such facility.

6. The inspected Party shall designate along the periphery of each facility specified in a notification provided in accordance with paragraph 10 of Section III of this Protocol, a perimeter continuous monitoring area the boundaries of which shall be agreed upon by the Parties for each such facility so that they shall be sufficient to establish a perimeter and portal continuous monitoring system.

7. If the inspected Party intends to change the perimeter of a facility at which work on establishing a perimeter and portal continuous monitoring system has begun or at which such a system has already been established, it shall inform the inspecting Party, in advance, of its intention to carry out such work, shall indicate the date planned for such work to begin, and provide through diplomatic channels a site diagram of that facility annotated to indicate the proposed changes to the boundaries of the perimeter continuous monitoring area. Before work to change the perimeter is begun, the Parties shall agree

upon the new boundaries of the perimeter continuous monitoring area and upon the procedure for relocating the equipment for the perimeter and portal continuous monitoring system. The procedure for relocating such equipment shall be agreed upon in such a way as to enable monitors to continue their continuous monitoring activities while work on changing the perimeter is in progress. The inspected Party shall bear the costs relating to relocation of the equipment for the perimeter and portal continuous monitoring system resulting from changing the perimeter.

8. The inspected Party shall define, separately for each facility subject to continuous monitoring or monitored facility, a zone within which monitors shall have the right to travel with the permission of the in-country escort, and, as considered necessary by the inspected Party, accompanied by escorts. Areas from which monitors shall be excluded within these zones may be defined by the inspected Party. For each facility subject to continuous monitoring or monitored facility, the inspected Party shall define, if possible, a free movement zone within which the monitors shall have the right to move between their place of duty and their living quarters without the permission of the in-country escort.

9. The inspecting Party shall have the right, 30 days after entry into force of the Treaty and thereafter, to conduct an engineering site survey at a facility subject to continuous monitoring. The purpose of the engineering site survey is on-site familiarization with geological and topographic conditions and available logistical resources for establishing a perimeter and portal continuous monitoring system.

10. Within the perimeter continuous monitoring area, the inspecting Party shall have the right to establish, operate, and maintain a perimeter and portal continuous monitoring system. The equipment for such a system is specified in Annex 9 to this Protocol.

11. Monitors shall have the right of unlimited access, at times of their own choosing, to the perimeter continuous monitoring area. In each case, monitors shall inform a member of the in-country escort of their intent to examine the perimeter continuous monitoring area. The inspected Party shall maintain continuously, on a 24-hour basis, a member of the in-country escort at the monitored facility, to accompany monitors to any portion of the perimeter continuous monitoring area. For this purpose, a member of the in-country escort shall promptly provide monitors with a vehicle upon request. In the perimeter continuous monitoring area, the monitors shall be enabled to move around the entire monitored facility.

12. The monitors shall have the right to use in the perimeter continuous monitoring area their own systems for two-way radio communication with the operations center at the monitored facility that is provided for in subparagraph 22(a) of this Section. The operating frequency and power levels for these radio systems shall be agreed by the Parties prior to the use of such systems in the perimeter continuous monitoring area. These radio systems must operate only on a single agreed operating frequency and may not contain components permitting them to operate on other frequencies. A member of the in-country

escort shall have the right to ascertain at any time that these radio systems are capable of operating only on the single, agreed operating frequency.

13. For a facility specified in a notification provided in accordance with paragraph 10 of Section III of this Protocol, the inspected Party shall designate a portal with not more than one rail line. All objects, containers, launch canisters, and vehicles that are large enough to contain or to be an item of continuous monitoring of the inspected Party shall exit only through the portal commencing on the date specified in the notification provided in accordance with paragraph 11 of Section III of this Protocol.

14. Except for the portal, the monitored facility shall have no other rail exits and shall have no more than two other road exits. Such exits shall be monitored as provided for in Annex 9 to this Protocol. The inspecting Party shall have the right to construct an environmental shelter with total floor space of up to 16 square meters at each exit.

15. There shall be no more than four additional exits from the monitored facility for personnel of the inspected Party. These exits shall be no wider than one meter.

16. No later than three months after the notification provided in accordance with paragraph 12 of Section III of this Protocol, the inspected Party shall, at the request of the inspecting Party, provide:

- (a) two dedicated telephone lines providing direct communications between the monitoring team and the embassy of the inspecting Party with a single termination point, specified by the inspecting Party, at each end of a telephone line;
- (b) one non-dedicated commercial telephone line for local and long distance communications throughout the existing telephone network within the territory of the inspected Party; and
- (c) satellite communications equipment providing access to a telephone communications systems channel of the International Maritime Satellite Organization (INMARSAT) or to an equivalent satellite communication system for telephonic communications between the monitoring team and the territory of the inspecting Party, if such equipment is not provided by the inspecting Party at the request of the inspected Party.

17. All expenses associated with the installation and operation of the dedicated direct telephone lines shall be borne by the inspected Party. All expenses associated with the installation and use of the non-dedicated commercial telephone line shall be borne by the inspecting Party. All expenses associated with the provision, installation, and maintenance of satellite communications equipment shall be borne by the inspected Party. If requested by the inspected Party, the inspecting Party may provide the satellite communications equipment. In such a case all expenses associated with the provision, installation, and maintenance of satellite communications equipment shall be borne by the inspecting Party. In any case all expenses associated with

the use of the satellite communications system shall be borne by the inspecting Party.

18. Satellite communications equipment shall be under the control of the inspected Party, except that it shall be under the control of both Parties if provided by the inspecting Party. Monitors shall have the right to use the satellite communications system any time a monitor and a member of the in-country escort conclude that facsimile communications with the territory of the inspecting Party via the dedicated direct telephone lines to its embassy cannot be established within 20 minutes.

19. No later than six months after the notification provided in accordance with paragraph 12 of Section III of this Protocol, the inspected Party shall, at the request of and at the expense of the inspecting Party, provide the following logistic support:

- (a) all utilities for the establishment, operation, and maintenance of the perimeter and portal continuous monitoring system, including electrical power, water, fuel, heating, and sewage;
- (b) basic construction materials, including concrete and lumber;
- (c) the site preparation for the establishment of a perimeter and portal continuous monitoring system, and for the operations center. Such preparation may include earth moving operations, laying of concrete foundations, trenching between equipment locations, and utility connections; and
- (d) transportation to the perimeter continuous monitoring area of all tools, materials, and equipment necessary for the establishment, operation, and maintenance of the perimeter and portal continuous monitoring system.

20. Equipment and supplies brought into the territory of the inspected Party, subject to the provisions of paragraph 16 of Section VI of this Protocol, shall be delivered to the facility subject to continuous monitoring or monitored facility without undue delay.

21. Prior to the completion of construction of the buildings or shelters provided for in paragraph 14 and subparagraph 22(b) of this Section, the inspected Party at the request of the inspecting Party shall provide the monitors with temporary structures at the portal and road exits. Such temporary structures shall be provided at the expense of the inspecting Party.

22. Within the perimeter continuous monitoring area, the inspecting Party shall have the right to:

- (a) construct, operate, and maintain at the portal an operations center for receiving and storing data;

- (b) construct at the portal no more than three buildings with a total floor space of up to 150 square meters to house the operations center and monitoring team headquarters; and
- (c) install at the portal and the road exits provided for in paragraphs 13 and 14 of this Section, the equipment for a perimeter and portal continuous monitoring system, as specified in Annex 9 to this Protocol.

23. Within the perimeter continuous monitoring area, the inspected Party, at the request of and at the expense of the inspecting Party, shall construct one building with floor space specified in such request, but of no more than 500 square meters, for use by the monitors for storage of equipment for continuous monitoring activities and of supplies.

24. Within the perimeter continuous monitoring area, the inspected Party shall have the right to construct at a location agreed upon with the inspecting Party, one building for conducting viewing procedures in accordance with this Protocol.

25. The monitoring team leader shall provide to the in-country escort:

- (a) installation drawings, installation manuals, and other documentation, including any changes made to such documentation, to be used by the monitors at that facility subject to continuous monitoring or monitored facility to install or test the equipment for the perimeter and portal continuous monitoring system. Such documentation shall be provided to and discussed with the inspected Party prior to the commencement of the work described therein. During such discussions, the monitors shall provide clarification concerning such documentation; and
- (b) manuals and any other documents, including any changes made to such documentation, to be used by the monitors to operate and maintain the equipment for continuous monitoring activity within the perimeter continuous monitoring area. Such documentation shall be provided to and discussed with the inspected Party prior to the use of such documentation for the operation and maintenance of equipment within the perimeter continuous monitoring area. During such discussions, monitors shall provide clarification concerning the use of such documentation.

26. The following restrictions shall apply within and near the perimeter continuous monitoring area:

- (a) Unobstructed tunnels shall not be permitted under the perimeter continuous monitoring area; obstructed tunnels shall be subject to examination.
- (b) Waterways, canals, or unobstructed culverts shall not be permitted to cross the perimeter continuous monitoring area; obstructed culverts shall be subject to examination.

- (c) Aircraft shall not be permitted to arrive within the perimeter of the monitored facility unless the monitors have been informed in advance of their arrival, except for an emergency at such a facility. In case of an emergency, the in-country escort shall inform the monitors of the arrival of an aircraft within the perimeter of that facility immediately after such an arrival.
- (d) Cranes shall not be permitted to be erected within 20 meters of either side of the boundaries of the perimeter continuous monitoring area unless the monitors have been informed in advance.

27. During the establishment, operation, or maintenance of a perimeter and portal continuous monitoring system, the inspecting Party shall not impede the inspected Party's access to any structures or security systems.

28. The inspecting Party shall provide an escort into any of its portal buildings constructed in accordance with paragraphs 22 and 23 of this Section, when the inspected Party desires access to such buildings.

29. Any two members of the monitoring team shall have the right to travel no more than one time per week to the embassy or consulate of the inspecting Party on the territory of the inspected Party. The monitoring team leader or the authorized representative of such a team shall inform a member of the in-country escort of the planned date of each such trip. The inspected Party shall make arrangements for each such trip in accordance with paragraph 11 of Section VI of this Protocol.

30. No more than nine diplomatic personnel of the inspecting Party who are members of the Treaty implementation unit of that Party's embassy or consulate on the territory of the inspected Party, shall have the right to travel, no more than two times each year, to each facility subject to continuous monitoring, if monitors are present at such a facility, or monitored facility, with no more than two persons traveling each time and staying at such a facility for no more than two days. Arrangements for such travel shall be made in accordance with established procedures for travel by diplomats to open areas. Such personnel shall be permitted unrestricted movement in the free movement zone associated with the facility subject to continuous monitoring or monitored facility. In accordance with Article 32 of the Vienna Convention on Diplomatic Relations of April 18, 1961, the Parties agree to waive the inviolability of any article, including personal baggage, their diplomatic personnel may be carrying at the last airport prior to arrival at the facility subject to continuous monitoring or monitored facility, except that this waiver of immunity shall not apply to papers. This waiver shall not apply to any other privileges and immunities accorded diplomatic personnel. Other requests for visits shall be considered on a case-by-case basis.

31. Once notification in accordance with paragraph 16 of Section III of this Protocol has been provided, monitors shall have the right to move from one facility subject to continuous monitoring or monitored facility directly to another such facility and take with them equipment and supplies. The inspected Party may assign escorts to the monitors during such movements. The equipment and supplies brought with them may be examined by the inspected Party upon arrival

at another facility subject to continuous monitoring or monitored facility under the same terms as when they arrived on the territory of the inspected Party.

32. The inspecting Party shall not take any actions with respect to structures of the inspected Party without its consent. If the Parties agree that structures of the inspected Party are to be rebuilt or demolished, either partially or completely, the inspecting Party shall provide the necessary compensation.

33. The inspected Party shall not interfere with the installed equipment of the inspecting Party or restrict the access of the monitors to such equipment. The in-country escort shall have the right to observe such equipment during its installation, testing, operation, and maintenance at the facility subject to continuous monitoring or monitored facility.

34. The inspected Party shall not interfere with continuous monitoring activities.

35. For the purpose of continuous monitoring after dark or during inclement weather the inspected Party, at the request of and at the expense of the inspecting Party, shall ensure sufficient lighting at the portal, road exits, and along the perimeter of the monitored facility to permit monitors to carry out their functions, including obtaining clear images of items being verified using a system of video cameras.

36. Continuous monitoring of containers, launch canisters, and vehicles exiting from the monitored facility shall be carried out subject to the procedures provided for in Annex 5 to this Protocol.

XVII. Cancellation of Inspections

1. An inspection shall be cancelled if, due to circumstances brought about by *force majeure*, it cannot be conducted. If an inspection is cancelled due to circumstances brought about by *force majeure*, the number of inspections to which the inspecting Party is entitled shall not be reduced.

2. In the case of a delay, including a delay due to circumstances brought about by *force majeure*, that prevents an inspection team conducting an inspection pursuant to paragraph 2, 3, 4, 5, 6, or 10 of Article XI of the Treaty from arriving at the inspection site during the time specified in paragraph 14 of Section VI of this Protocol, the inspection team leader may either cancel or conduct the inspection. If an inspection is cancelled due to delay, the number of inspections to which the inspecting Party is entitled shall not be reduced.

3. If the time to transport an inspection team or subgroup exceeds the times specified in paragraphs 11 and 12 of Section VII, paragraph 14 of Section IX, or paragraph 8 of Section X of this Protocol, the inspection team leader may either cancel or conduct the inspection. If such an inspection is cancelled, the number of inspections to which the inspecting Party is entitled shall not be reduced.

4. For inspections conducted pursuant to paragraphs 2, 3, 4, 5, 6, and 10 of Article XI of the Treaty, pre-inspection restrictions shall be cancelled if, due to circumstances brought about by *force majeure*, items subject to pre-inspection restrictions must be removed from the inspection site. In the case of pre-inspection restrictions being cancelled due to circumstances brought about by *force majeure*, the inspection team leader may either cancel or conduct the inspection. If an inspection is cancelled, the number of inspections to which the inspecting Party is entitled shall not be reduced.

5. If the inspected Party interrupts the procedures for a reentry vehicle inspection for reasons of personnel or equipment safety, the inspection team leader may cancel the inspection. In that case, the number of inspections to which the inspecting Party is entitled shall not be reduced.

XVIII. Inspection Reports and Continuous Monitoring Reports

1. During post-inspection procedures the inspection team leader shall provide the in-country escort with an official written inspection report in the language of the inspecting Party and an unofficial translation of the report in the language of the inspected Party. Such a report shall be provided no later than two hours after the beginning of the post-inspection procedures or no later than one hour after the arrival of all subgroups of the inspection team at the location where such procedures are carried out, whichever is later. The report shall be factual. It shall include the type of inspection conducted; the inspection site; the type and number of missiles, stages, launchers, heavy bombers, ballistic missile submarines, and support equipment subject to the Treaty observed during the period of inspection and all measurements recorded in accordance with paragraph 19 of Section VI of this Protocol. Photographs taken during the inspection as well as the site diagram or map of the inspection site provided for in paragraph 8 of Section VII, paragraph 8 or subparagraph 11(d) of Section IX, or paragraph 6 of Section X of this Protocol, shall be considered to be part of the report. The report shall be signed by the inspection team leader and by a member of the in-country escort. Each Party shall retain one copy of the report.

2. Within three days after the end of each month, the monitoring team leader shall provide the in-country escort with an official written continuous monitoring report in the language of the inspecting Party and an unofficial translation of the report in the language of the inspected Party. The report shall be factual. It shall include the number of vehicles declared to contain items of the inspected Party subject to the Treaty that left the monitored facility through the portal specified in paragraph 13 of Section XVI of this Protocol during that month. The report shall also include all measurements of containers contained in these vehicles recorded in accordance with paragraph 19 of Section VI of this Protocol. Photographs taken during continuous monitoring shall be considered to be a part of the report. The report shall be signed by the monitoring team leader and by a member of the in-country escort. Each Party shall retain one copy of the report.

3. The inspected Party shall have the right to include written comments in the report.

4. The Parties shall, when possible, clarify ambiguities regarding factual information contained in the inspection report or the continuous monitoring report. Relevant clarifications shall be recorded in the report.

This Protocol is an integral part of the Treaty and shall enter into force on the date of entry into force of the Treaty and shall remain in force so long as the Treaty remains in force. As provided for in subparagraph (b) of Article XV of the Treaty, the Parties may agree upon such additional measures as may be necessary to improve the viability and effectiveness of the Treaty. The Parties agree that, if it becomes necessary to make changes in this Protocol that do not affect substantive rights or obligations under the Treaty, they shall use the Joint Compliance and Inspection Commission to reach agreement on such changes, without resorting to the procedure for making amendments set forth in Article XVIII of the Treaty.

Done at Moscow on July 31, 1991, in two copies, each in the English and Russian languages, both texts being equally authentic.

For the United States of America:

George Bush
President of the United States of America

For the Union of the Soviet Socialist Republics:

M. Gorbachev
President of the Union of Soviet Socialist Republics

