

2. This Treaty shall enter into force 60 days after the deposit of 20 instruments of ratification, including those of the Depositaries, and of States Parties whose individual allocation of passive quotas as set forth in Annex A is eight or more.

3. This Treaty shall be open for signature by Armenia, Azerbaijan, Georgia, Kazakhstan, Kirgistan, Moldova, Tajikistan, Turkmenistan and Uzbekistan and shall be subject to ratification by them. Any of these States which do not sign this Treaty before it enters into force in accordance with the provisions of paragraph 2 of this Article may accede to it at any time by depositing an instrument of accession with one of the Depositaries.

4. For six months after entry into force of this Treaty, any other State participating in the Conference on Security and Cooperation in Europe may apply for accession by submitting a written request to one of the Depositaries. The Depositary receiving such a request shall circulate it promptly to all States Parties. The States applying for accession to this Treaty may also, if they so wish, request an allocation of a passive quota and the level of this quota.

The matter shall be considered at the next regular meeting of the Open Skies Consultative Commission and decided in due course.

5. Following six months after entry into force of this Treaty, the Open Skies Consultative Commission may consider the accession to this Treaty of any State which, in the judgement of the Commission, is able and willing to contribute to the objectives of this Treaty.

6. For any State which has not deposited an instrument of ratification by the time of entry into force, but which subsequently ratifies or accedes to this Treaty, this Treaty shall enter into force 60 days after the date of deposit of its instrument of ratification or accession.

7. The Depositaries shall promptly inform all States Parties of:

- (A) the date of deposit of each instrument of ratification and the date of entry into force of this Treaty;
- (B) the date of an application for accession, the name of the requesting State and the result of the procedure;
- (C) the date of deposit of each instrument of accession and the date of entry into force of this Treaty for each State that subsequently accedes to it;
- (D) the convening of a conference pursuant to Articles XV and XVI;
- (E) any withdrawal in accordance with Article XV and its effective date;
- (F) the date of entry into force of any amendments to this Treaty; and
- (G) any other matters of which the Depositaries are required by this Treaty to inform the States Parties.

Article XVIII

PROVISIONAL APPLICATION AND PHASING OF IMPLEMENTATION OF THE TREATY

In order to facilitate the implementation of this Treaty, certain of its provisions shall be provisionally applied and others shall be implemented in phases.

SECTION I. PROVISIONAL APPLICATION

1. Without detriment to Article XVII, the signatory States shall provisionally apply the following provisions of this Treaty:

- (A) Article VI, Section I, paragraph 4;
- (B) Article X, paragraphs 1, 2, 3, 6 and 7;
- (C) Article XI;
- (D) Article XIII, Section I, paragraphs 1 and 2;
- (E) Article XIV; and
- (F) Annex L, Section I.

2. This provisional application shall be effective for a period of 12 months from the date when this Treaty is opened for signature. In the event that this Treaty does not enter into force before the period of provisional application expires, that period may be extended if all the signatory States so decide. The period of provisional application shall in any event terminate when this Treaty enters into force. However, the States Parties may then decide to extend the period of provisional application in respect of signatory States that have not ratified this Treaty.

SECTION II. PHASING OF IMPLEMENTATION

1. After entry into force, this Treaty shall be implemented in phases in accordance with the provisions set forth in this Section. The provisions of paragraphs 2 to 6 of this Section shall apply during the period from entry into force of this Treaty until 31 December of the third year following the year during which entry into force takes place.

2. Notwithstanding the provisions of Article IV, paragraph 1, no State Party shall during the period specified in paragraph 1 above use an infrared line-scanning device if one is installed on an observation aircraft, unless otherwise agreed between the observing and observed Parties. Such sensors shall not be subject to certification in accordance with Annex D. If it is difficult to remove such sensor from the observation aircraft, then it shall have covers or other devices that inhibit its operation in accordance with the provisions of Article IV, paragraph 4 during the conduct of observation flights.

3. Notwithstanding the provisions of Article IV, paragraph 9, no State Party shall, during the period specified in paragraph 1 of this Section, be obliged to provide an observation aircraft equipped with sensors from each sensor category, at the maximum capability and in the numbers specified in Article IV,

paragraph 2, provided that the observation aircraft is equipped with:

- (A) a single optical panoramic camera; or

(B) not less than a pair of optical framing cameras.

4. Notwithstanding the provisions of Annex B, Section II, paragraph 2, subparagraph (A) to this Treaty, data recording media shall be annotated with data in accordance with existing practice of States Parties during the period specified in paragraph 1 of this Section.

5. Notwithstanding the provisions of Article VI, Section I, paragraph 1, no State Party during the period specified in paragraph 1 of this Section shall have the right to be provided with an aircraft capable of achieving any specified unrefuelled range.

6. During the period specified in paragraph 1 of this Section, the distribution of active quotas shall be established in accordance with the provisions of Annex A, Section II, paragraph 2 to this Treaty.

7. Further phasing in respect of the introduction of additional categories of sensors or improvements to the capabilities of existing categories of sensors shall be addressed by the Open Skies Consultative Commission in accordance with the provisions of Article IV, paragraph 3 concerning such introduction or improvement.

Article XIX

AUTHENTIC TEXTS

The originals of this Treaty, of which the English, French, German, Italian, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the Depositaries. Duly certified copies of this Treaty shall be transmitted by the Depositaries to all the States Parties.

ANNEX A

QUOTAS AND MAXIMUM FLIGHT DISTANCES

SECTION I. ALLOCATION OF PASSIVE QUOTAS

1. The allocation of individual passive quotas is set forth as follows and shall be effective only for those States Parties having ratified the Treaty:

For the Federal Republic of Germany	12
For the United States of America	42
For the Republic of Belarus and the Russian Federation group of States Parties	42
For Benelux	6
For the Republic of Bulgaria	4
For Canada	12
For the Kingdom of Denmark	6
For the Kingdom of Spain	4
For the French Republic	12
For the United Kingdom of Great Britain and Northern Ireland	12
For the Hellenic Republic	4
For the Republic of Hungary	4

For the Republic of Iceland	4
For the Italian Republic	12
For the Kingdom of Norway	7
For the Republic of Poland	6
For the Portuguese Republic	2
For Romania	6
For the Czech and Slovak Federal Republic	4
For the Republic of Turkey	12
For Ukraine	12

2. In the event that an additional State ratifies or accedes to the Treaty in accordance with the provisions of Article XVII and Article X, paragraph 4, subparagraph (C), and taking into account Article X, paragraph 4, subparagraph (D), an allocation of passive quotas to such a State shall be considered during the regular session of the Open Skies Consultative Commission following the date of deposit of its instrument of ratification or accession.

SECTION II. FIRST DISTRIBUTION OF ACTIVE QUOTAS FOR OBSERVATION FLIGHTS

1. The first distribution of active quotas pursuant to Article III, Section I, paragraph 6 of the Treaty shall be such that each State Party shall be obliged to accept over its territory a number of observation flights no greater than 75 per cent, rounded down to the nearest whole number, of the individual passive quota allocated as set forth in Section I, paragraph 1 of this Annex. On this basis, and for those States Parties which have conducted negotiations in the framework of the Open Skies Conference in Vienna, the first distribution in respect of each other shall be valid from the date of entry into force of the Treaty until 31 December following the year during which the Treaty has entered into force and shall be effective only for those States Parties having ratified the Treaty. This first distribution is set forth as follows:

The Federal Republic of Germany shall have the right to conduct three observation flights over the territory of the Republic of Belarus and the Russian Federation group of States Parties, and one observation flight over the territory of Ukraine;

The United States of America shall have the right to conduct eight observation flights over the territory of the Republic of Belarus and the Russian Federation group of States Parties, and one observation flight, shared with Canada, over the territory of Ukraine;

The Republic of Belarus and the Russian Federation group of States Parties shall have the right to conduct two observation flights over the territory of Benelux, as referred to in Article XIV of the Treaty, two observation flights over the territory of Canada, two observation flights over the territory of the Kingdom of Denmark, three observation flights over the territory of the French Republic, three observation flights over the territory of the Federal Republic of Germany, one observation flight over the territory of the Hellenic Republic, two observation flights over the territory of the Italian Republic, two observation flights over the terri-

tory of the Kingdom of Norway, two observation flights over the territory of the Republic of Turkey, three observation flights over the territory of the United Kingdom of Great Britain and Northern Ireland, and four observation flights over the territory of the United States of America;

The Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, referred to as the Benelux, shall have the right to conduct one observation flight over the territory of the Republic of Belarus and the Russian Federation group of States Parties, and one observation flight over the territory of the Republic of Poland;

The Republic of Bulgaria shall have the right to conduct one observation flight over the territory of the Hellenic Republic, one observation flight over the territory of the Italian Republic, and one observation flight over the territory of the Republic of Turkey;

Canada shall have the right to conduct two observation flights over the territory of the Republic of Belarus and the Russian Federation group of States Parties, one observation flight over the territory of the Czech and Slovak Federal Republic, one observation flight over the territory of the Republic of Poland, and one observation flight, shared with the United States of America, over the territory of Ukraine;

The Kingdom of Denmark shall have the right to conduct one observation flight over the territory of the Republic of Belarus and the Russian Federation group of States Parties, and one observation flight over the territory of the Republic of Poland;

The Kingdom of Spain shall have the right to conduct one observation flight over the territory of the Czech and Slovak Federal Republic;

The French Republic shall have the right to conduct three observation flights over the territory of the Republic of Belarus and the Russian Federation group of States Parties, and one observation flight over the territory of Romania;

The United Kingdom of Great Britain and Northern Ireland shall have the right to conduct three observation flights over the territory of the Republic of Belarus and the Russian Federation group of States Parties, and one observation flight over the territory of Ukraine;

The Hellenic Republic shall have the right to conduct one observation flight over the territory of the Republic of Bulgaria, and one observation flight over the territory of Romania;

The Republic of Hungary shall have the right to conduct one observation flight over the territory of Romania, and one observation flight over the territory of Ukraine;

The Italian Republic shall have the right to conduct two observation flights over the territory of the Republic of Belarus and the Russian Federation group of States Parties, one observation flight over the territory of the Republic of Hungary, and one observation flight, shared with the Republic of Turkey, over the territory of Ukraine;

The Kingdom of Norway shall have the right to conduct two observation flights over the territory of the Republic of Belarus and the Russian Federation group of States Parties and one observation flight over the territory of the Republic of Poland;

The Republic of Poland shall have the right to conduct one observation flight over the territory of the Federal Republic of Germany, one observation flight over the territory of the Republic of Belarus and the Russian

Federation group of States Parties, and one observation flight over the territory of Ukraine;

Romania shall have the right to conduct one observation flight over the territory of the Republic of Bulgaria, one observation flight over the territory of the Hellenic Republic, one observation flight over the territory of the Republic of Hungary, and one observation flight over the territory of Ukraine;

The Czech and Slovak Federal Republic shall have the right to conduct one observation flight over the territory of the Federal Republic of Germany, and one observation flight over the territory of Ukraine;

The Republic of Turkey shall have the right to conduct two observation flights over the territory of the Republic of Belarus and the Russian Federation group of States Parties, one observation flight over the territory of the Republic of Bulgaria and two observation flights, one of which is shared with the Italian Republic, over the territory of Ukraine;

Ukraine shall have the right to conduct one observation flight over the territory of the Czech and Slovak Federal Republic, one observation flight over the territory of the Republic of Hungary, one observation flight over the territory of the Republic of Poland, one observation flight over the territory of Romania, and two observation flights over the territory of the Republic of Turkey.

2. Following this first distribution and until the date of full implementation of the Treaty specified in Article XVIII to that effect for the use of active quotas, annual distributions shall be based on the 75 per cent rule established in paragraph 1 of this Section in relation to the allocation of individual passive quotas.

3. From the date of full implementation of the Treaty each State Party shall accept during subsequent distributions of active quotas over its territory, if so requested, a number of observation flights up to the full amount of its individual passive quota. Whenever possible or requested and unless otherwise agreed, those distributions shall be based on a proportionate increase of the active quotas distributed in the first distribution.

4. In the event that an additional State ratifies or accedes to the Treaty in accordance with the provisions of Article XVII, the distribution of active quotas to such State shall be considered during the regular session of the Open Skies Consultative Commission following the date of the deposit of its instrument of ratification or accession, subject to the following provisions:

- (A) the ratifying or acceding State shall have the right to request observation flights over the territories of States Parties within the passive quota allocated to that State in accordance with the provisions of Section I, paragraph 3 of this Annex, and within the passive quotas of the States Parties requested for observation flights, unless otherwise agreed by the States Parties involved; and
- (B) all States Parties shall have at the same time the right to request observation flights over the territory of that signing or acceding State within their active quotas and within the passive quota allocated to that State.

SECTION III. MAXIMUM FLIGHT DISTANCES OF OBSERVATION FLIGHTS

The maximum flight distances of observation flights over the territories of observed Parties commencing from each Open Skies airfield are as follows:

The Federal Republic of Germany	WUNSTORF	1,200 kilometres
	LANDSBERG-LECH	1,200 kilometres
The United States of America	WASHINGTON-DULLES	4,900 kilometres
	TRAVIS AFB	4,000 kilometres
	ELMENDORF AFB	3,000 kilometres
	LINCOLN-MUNICIPAL	4,800 kilometres
The Republic of Belarus and the Russian Federation group of States Parties	KUBINKA	5,000 kilometres
	ULAN UDE	5,000 kilometres
	VORKUTA	6,500 kilometres
	MAGADAN	6,500 kilometres
Benelux	ZAVENTEM/MELSBROEK	945 kilometres
The Republic of Bulgaria	SOFIA	660 kilometres
	BURGAS	660 kilometres
Canada	OTTAWA	5,000 kilometres
	IQALUIT	6,000 kilometres
	YELLOWKNIFE	5,000 kilometres
The Kingdom of Denmark	Metropolitan	800 Kilometres
	FAROE ISLANDS	250 kilometres
	GREENLAND	5,600 kilometres
The Kingdom of Spain	GETAFE	1,300 kilometres
	GANDO	750 kilometres
	VALENCIA	1,300 kilometres
	VALLADOLID	1,300 kilometres
	MORON	1,300 kilometres
The French Republic	ORLEANS-BRICY	1,400 kilometres
	NICE-COTE D'AZUR	800 kilometres
	TOULOUSE-BLAGNAC	700 kilometres

The United Kingdom of Great Britain and Northern Ireland		
	BRIZE NORTON	1,150 kilometres
	SCAMPTON	1,150 kilometres
	LEUCHARS	1,150 kilometres
	with SCILLY ISLANDS	1,500 kilometres
	with SHETLAND ISLANDS	1,500 kilometres
The Hellenic Republic		
	THESSALONIKI	900 kilometres
	ELEFSIS	900 kilometres
	with CRETE, KARPATOS,	
	RHODES, KOS ISLANDS	1,100 kilometres
The Republic of Hungary		
	BUDAPEST-FERIHEGY	860 kilometres
The Republic of Iceland		
		1,500 kilometres
The Italian Republic		
	MILANO-MALPENSA	1,130 kilometres
	PALERMO-PUNTA RAISI	1,400 kilometres
The Kingdom of Norway		
	OSLO-GARDERMOEN	1,700 kilometres
	TROMSOE-LANGNES	1,700 kilometres
The Republic of Poland		
	WARSZAWA-OKECIE	1,400 kilometres
The Portuguese Republic		
	LISBOA	1,200 kilometres
	Sta. MARIA	1,700 kilometres
	PORTO SANTO	1,030 kilometres
Romania		
	BUCHAREST-OTOPENI	900 kilometres
	TIMISOARA	900 kilometres
	BACAU	900 kilometres
The Czech and Slovak Federal Republic		
	PRAHA	600 kilometres
	BRATISLAVA	700 kilometres
	KOSICE	400 kilometres
The Republic of Turkey		
	ESKISEHIR	1,500 kilometres
	DIYARBAKIR	1,500 kilometres
Ukraine		
	BORISPOL	2,100 kilometres

ANNEX B

INFORMATION ON SENSORS

SECTION I. TECHNICAL INFORMATION

1. Pursuant to Article IV, paragraph 10, each State Party shall inform all other States Parties of the applicable technical information listed in this Section on each sensor installed on the observation aircraft designated by that State Party pursuant to Article V of the Treaty.

2. The following technical information shall be provided for optical panoramic and framing cameras:

- (A) type and model;
- (B) field of view along and across the flight path, or scan angles, in degrees;
- (C) frame size, in millimetres by millimetres;
- (D) exposure times, in seconds;
- (E) types and colours of optical filters used and their filter factor;
- (F) for each lens:
 - (1) name;
 - (2) focal length, in millimetres;
 - (3) maximum relative aperture of the lens;
 - (4) resolving power at a contrast ratio of 1000 to 1 or the equivalent modulation of 1.0, at the maximum relative aperture, in lines per millimetre;
- (G) minimum and maximum photographic time intervals, in seconds, or cycle rates, in frames per second, if applicable;
- (H) maximum velocity over height ratio, if applicable;
- (I) for optical framing cameras, the maximum angle measured from the horizontal, or the minimum angle measured from the vertical, in degrees; and
- (J) maximum altitude for operation in metres, if applicable.

3. The following technical information shall be provided for video cameras:

- (A) type and model;
- (B) field of view, along and across the flight path, in degrees;
- (C) for the lens:
 - (1) focal length, in millimetres;
 - (2) maximum relative aperture;
 - (3) resolving power at a contrast ratio of 1000 to 1 or the equivalent modulation of 1.0, at the maximum relative aperture, in lines per millimetre;
- (D) detector element size, in micrometres, or equivalent information on the tube;
- (E) number of detector elements;
- (F) system light sensitivity, in lux or watts per square centimetre; and
- (G) spectral bandwidth, in nanometres.

4. The following technical information shall be provided for infrared line-scanning devices:

- (A) type and model;
- (B) field of view or scan angles, in degrees;

- (C) minimum instantaneous field of view, along and across the flight path, in milliradians;
 - (D) spectral bandwidth, in micrometres;
 - (E) minimum resolvable temperature difference, in degrees Celsius;
 - (F) temperature of detector during operation, in degrees Celsius;
 - (G) time required from switch-on for the system to start up and cool down to its normal operating temperature, in minutes;
 - (H) maximum operating time, if applicable;
 - (I) maximum velocity over height ratio; and
 - (J) maximum altitude for operation in metres, if applicable.
5. The following technical information shall be provided for sideways-looking synthetic aperture radar:
- (A) type and model;
 - (B) radar frequency bands, and specific operating frequency, in megahertz;
 - (C) polarisations;
 - (D) number of radar pulses, per metre or second;
 - (E) near range angular limit of operation, in degrees from vertical;
 - (F) swath width, in kilometres;
 - (G) ground resolution in range and azimuth, in the slant plane, in metres;
 - (H) maximum altitude for operation in metres, if applicable; and
 - (I) transmitter output power, in watts.
6. The following technical information shall be provided for sensors that record data on photographic film:
- (A) the types of film that may be used with each sensor;
 - (B) width of film, in millimetres;
 - (C) film resolution at a contrast ratio of 1000 to 1 or the equivalent modulation of 1.0, in lines per millimetre; and
 - (D) capacity of magazine for each type of film, in metres.
7. The following technical information shall be provided for sensors that record data on other recording media:
- (A) type and model of the data recording equipment;
 - (B) type and format of data recording media;
 - (C) bandwidth, in hertz, if applicable;
 - (D) data recording rate, in megabits per second, if applicable;
 - (E) capacity of recording media, in minutes or megabits; and
 - (F) format for storage of data collected by sensors and data annotation.

SECTION II. ANNOTATION OF DATA

1. The following items of information shall be annotated on data collected by sensors during an observation period on the leader of each roll of the original film negative or at the beginning of each other recording medium in accordance with the provisions of Appendix 1 to this Annex:
- (A) observation flight reference number;
 - (B) date of observation flight;
 - (C) sensor description;
 - (D) sensor configuration; and

(E) focal length, if applicable.

2. The following items of information shall be recorded manually or electronically from the navigation and avionics systems of the observation aircraft and annotated on data collected by sensors during an observation period in a manner that does not obscure detail, in accordance with the provisions of Appendix 1 to this Annex:

(A) for optical cameras:

(1) at the start of the observation period and at any intermediate location during the observation period where there is a significant change of height above ground level, heading or groundspeed, and at intervals to be determined by the Open Skies Consultative Commission within the period of provisional application:

- (a) height above ground level;
- (b) location;
- (c) true heading; and
- (d) scan angle;

(2) on every frame of photographic film:

- (a) frame number;
- (b) time; and
- (c) roll angle;

(B) for video cameras and infra-red line-scanning devices, at the start of the observation period and at any intermediate location during the observation period where there is a significant change of height above ground level, heading or groundspeed, and at intervals to be determined by the Open Skies Consultative Commission within the period of provisional application:

- (1) date and time;
- (2) height above ground level;
- (3) location;
- (4) true heading; and
- (5) scan angle;

(C) for sideways-looking synthetic aperture radar:

(1) at the start of the observation period and at any intermediate location during the observation period where there is a significant change of height above ground level, heading or groundspeed, and at intervals to be determined by the Open Skies Consultative Commission within the period of provisional application:

- (a) date and time;
- (b) height above ground level;
- (c) location;
- (d) true heading;
- (e) look down angle to the nearest point of the swath width;
- (f) swath width; and
- (g) polarisations;

(2) each time they are measured in order to ensure correct processing of the image:

- (a) groundspeed;
- (b) drift;
- (c) pitch angle; and

(d) roll angle.

3. For copies of single frames or strips of imagery produced from the original film negative or other recording media, the items of information listed in paragraphs 1 and 2 of this Section shall be annotated on each positive print.

4. States Parties shall have the right to annotate data collected during an observation flight using either alphanumeric values, or codes to be agreed by the Open Skies Consultative Commission during the period of provisional application.

APPENDIX 1 TO ANNEX B

ANNOTATION OF DATA COLLECTED DURING AN OBSERVATION FLIGHT

1. The reference number of the observation flight shall be indicated by a single group of six alphanumeric characters in accordance with the following convention:

(A) the letters "OS";

(B) the last digit of the calendar year for which the individual active quota applies; and

(C) a three-digit number to represent each individual observation flight comprising the active quota distributed during the annual review within the framework of the Open Skies Consultative Commission for a calendar year to a State Party over the territory of another State Party.

2. The sensor description shall be indicated by a single block of up to six alphanumeric characters comprising two groups in accordance with the following convention:

(A) a group of up to four characters to represent the category of the sensor in accordance with the following convention:

(1) "OP" - optical panoramic camera;

(2) "OF" - optical framing camera;

(3) "TV" - video camera;

(4) "IRLS" - infra-red line-scanning device; or

(5) "SAR" - sideways-looking synthetic aperture radar;

(B) a group of two characters to represent the type of the recording medium in accordance with the following convention:

(1) "BI" - black and white, iso-panchromatic;

(2) "BM" - black and white, monochromatic;

(3) "BP" - black and white, panchromatic;

(4) "BR" - black and white, reversal;

(5) "TA" - tape, analogue; or

(6) "TD" - tape, digital.

3. The sensor configuration shall be indicated by a single block of up to nine alphanumeric characters comprising three groups in accordance with the following convention:

(A) a group of four alphanumeric characters to represent the installation of the sensor on the observation aircraft either as:

- (1) an internal installation, which shall be denoted by the code "INT", followed by a number to indicate the relative location of the installation of the sensor on the observation aircraft in sequence from nose to tail of the observation aircraft; or
 - (2) a podded installation, which shall be denoted by the code "POD", followed by one of the following three letters:
 - (a) "L" - mounted under left wing;
 - (b) "R" - mounted under right wing; or
 - (c) "C" - mounted on the aircraft centre line;
 - (B) a group of up to three alphanumeric characters to represent the type of installation in accordance with the following convention:
 - (1) a vertical installation in which the sensor is not tilted more than five degrees from the vertical shall be denoted by the letter "V";
 - (2) an oblique installation in which the sensor is tilted more than five degrees from the vertical shall be denoted by one of the following two letters, followed by the depression angle in degrees:
 - (a) "L" - left pointing;
 - (b) "R" - right pointing;
 - (3) a fan installation of two or more sensors shall be denoted by the letter "F";
 - (C) for a fan installation, a group of up to two numbers to indicate the number and position of the sensors as follows:
 - (1) the first number to indicate the total number of sensors in that installation; and
 - (2) the second number to indicate the individual sensor position, in sequence from left to right relative to the direction of flight of the observation aircraft.
4. The focal length of a lens shall be provided in millimetres.
 5. The date and time shall be provided to the nearest minute of Co-ordinated Universal Time.
 6. The average height above ground level of the observation aircraft shall be denoted by a five-digit number, followed by a code to represent the units of measurement in either feet, by the letter "F", or metres, by the letter "M".
 7. The latitude and longitude of the location of the observation aircraft shall be provided in degrees to the nearest one-hundredth of a degree, in the format "dd.dd(N or S) ddd.dd(E or W)", or in degrees and minutes to the nearest minute, in the format "dd mm(N or S) ddd mm(E or W)".
 8. The true heading of the observation aircraft shall be provided in degrees to the nearest degree.
 9. The roll angle of the observation aircraft shall be provided in degrees followed by a code to indicate whether the roll is to the left, by the letter "L", or to the right, by the letter "R".
 10. The pitch angle of the observation aircraft shall be provided in degrees followed by a code to indicate whether the pitch is up, by the letter "U", or down, by the letter "D", relative to the horizontal.
 11. The drift angle of the observation aircraft shall be provided in degrees followed by a code to indicate whether the drift is to the left, by the

letter "L", or to the right, by the letter "R", relative to the flight path of the observation aircraft.

12. The groundspeed of the observation aircraft shall be denoted by a three-digit number followed by a two-letter code to indicate the units of measurement in either nautical miles, by the letters "NM", or kilometres, by the letters "KM", per hour.

13. The nearest point of the swath width shall be provided in kilometres.

14. The look down angle shall be provided in degrees measured from the vertical.

15. The swath width shall be provided in kilometres.

16. For photographic film, each magazine used during an observation flight from the same sensor shall be numbered in sequence starting from one. Each frame on the original film negative exposed by each sensor shall be individually numbered in sequence, from the first frame to the last frame of that magazine of that sensor. In each case when the film is numbered using one or two numbers per frame, a single frame shall be defined without ambiguity by specifying either the number closest to the centre of the frame, or, in the event that the numbers are equidistant from the centre, the smaller whole number.

ANNEX C

INFORMATION ON OBSERVATION AIRCRAFT

Pursuant to the provisions of Article V, paragraph 2 of the Treaty, States Parties, when designating aircraft as observation aircraft, shall notify all other States Parties of the information specified below.

1. Identification:

- (A) type and model; and
- (B) number, category, type and configuration of each sensor installed on the observation aircraft, as provided in accordance with the provisions of Annex B to the Treaty;

2. Mission Planning:

- (A) for each type and configuration of sensor installed on the observation aircraft:
 - (1) for which ground resolution is dependent upon height above ground level, the height above ground level in metres at which that sensor achieves the ground resolution for that category of sensor specified in Article IV, paragraph 2 of the Treaty;
 - (2) for which ground resolution is not dependent upon height above ground level, the altitude for maximum range;
- (B) optimum cruising speed in kilometres per hour at each altitude specified in accordance with subparagraph (A) of this paragraph;
- (C) fuel consumption in kilograms per hour at optimum cruising speed at each altitude specified in accordance with subparagraph (A) of this paragraph.

3. Navigation, Communications and Landing Aids:

- (A) each type of navigation equipment installed on the observation aircraft, including its positional accuracy, in metres; and
 - (B) radio communications, approach and landing aid equipment installed on the observation aircraft, in accordance with standard ICAO practice.
4. Ground Handling:
- (A) length, wingspan, maximum height, wheel base, and turning radius;
 - (B) maximum take-off weight and maximum landing weight;
 - (C) airfield runway length and pavement strength required at maximum take-off and landing weights, including any capability for landing on unpaved strips;
 - (D) types and capacities of fuel, oils, hydraulic fluid and oxygen;
 - (E) types of electrical servicing and starting units; and
 - (F) any special requirements.
5. Accommodation facilities:
- (A) number of flight crew;
 - (B) number of sensor operators;
 - (C) number of flight representatives, flight monitors or representatives who could be seated on board; and
 - (D) sleeping berths.

ANNEX D

CERTIFICATION OF OBSERVATION AIRCRAFT AND SENSORS

SECTION I. GENERAL PROVISIONS

1. Each State Party shall have the right to participate in the certification of an observation aircraft of each type and model and its associated set of sensors designated by another State Party pursuant to Article V of the Treaty, during which the observation aircraft and its sensors shall be examined both on the ground and in-flight.
2. Each certification shall be conducted in order to establish:
 - (A) that the aircraft is of a type and model designated pursuant to Article V of the Treaty;
 - (B) that the sensors installed on the observation aircraft are of a category specified in Article IV, paragraph 1 of the Treaty and satisfy the requirements specified in Article IV, paragraph 2 of the Treaty;
 - (C) that the technical information has been provided in accordance with the provisions of Annex B, Section I to the Treaty;
 - (D) in the event that the ground resolution of a sensor is dependent upon height above ground level, the minimum height above ground level from which each such sensor installed on an observation aircraft of that type and model may be operated during an observation flight, pursuant to the limitation on ground resolution specified in Article IV, paragraph 2 of the Treaty;
 - (E) in the event that the ground resolution is not dependent upon height above ground level, the ground resolution of each such sensor installed on an observation aircraft of that type and mo-

del, pursuant to the limitation on ground resolution specified in Article IV, paragraph 2 of the Treaty; and

- (F) that the covers for sensor apertures or other devices that inhibit the operation of sensors are in their proper position in accordance with the provisions of Article IV, paragraph 4 of the Treaty.

3. Each State Party conducting a certification shall notify all other States Parties, no less than 60 days in advance, of the period of seven days during which the certification of that observation aircraft and its sensors will take place. Such notification shall specify:

- (A) the State Party conducting the certification of the observation aircraft and its sensors;
- (B) the point of entry at which personnel of the States Parties taking part in the certification should arrive;
- (C) the location at which the certification is to be conducted;
- (D) the dates on which the certification is to begin and end;
- (E) the number, type and model of each observation aircraft to be certified; and
- (F) the type and model, description and configuration of each sensor installed on the observation aircraft to be certified, in accordance with the format specified in Annex B, Appendix 1 to the Treaty.

4. No later than ten days after receipt of the notification pursuant to the provisions of paragraph 3 of this Section, each State Party shall notify all other States Parties of its intention to participate in the certification of such aircraft and its sensors pursuant to the provisions of Article IV, paragraph 11. The number of individuals that shall participate in the certification from amongst those States Parties that notified their intention to participate shall be decided upon within the Open Skies Consultative Commission. Unless otherwise agreed, the number of individuals shall total no more than 40 and include no more than four from any one State Party. In the event that two or more States Parties notify their intention to conduct a certification during the same period, it shall be decided within the Open Skies Consultative Commission which of them shall conduct the certification in this period.

5. Each State Party taking part in the certification shall notify the State Party conducting the certification no less than 30 days prior to the date on which the certification of the observation aircraft is to begin, as notified in accordance with paragraph 3 of this Section, of the following:

- (A) the names of the individuals taking part in the certification and, in the event that a non-commercial transport aircraft is used to travel to the point of entry, a list of the names of the crew members, in each case specifying gender, date of birth, place of birth and passport number. All such individuals shall be on the list of individuals designated pursuant to Article XIII, Section I of the Treaty;
- (B) the date and the estimated time of arrival of such individuals at the point of entry; and
- (C) the mode of transport used to arrive at the point of entry.

6. No less than 14 days prior to the date on which the certification of the observation aircraft is to begin, as notified in accordance with paragraph 3 of this Section, the State Party conducting the certification shall

provide the States Parties which are taking part in the certification with the following information for each sensor installed on the observation aircraft, and for associated equipment used for the annotation of data collected by sensors:

- (A) a description of each constituent part of the sensor, including its purpose, and any connection to associated equipment used for the annotation of data;
- (B) photographs taken of each sensor separate from the observation aircraft, in accordance with the following specifications:
 - (1) each sensor shall fill at least 80 per cent of the photograph either horizontally or vertically;
 - (2) such photographs may be either colour or black and white and shall measure 18 centimetres by 24 centimetres, excluding the border; and
 - (3) each photograph shall be annotated with the category of the sensor, its type and model, and the name of the State Party that is presenting the sensor for certification;
- (C) instructions on the in-flight operation of each sensor.

7. In the event that no State Party notifies its intention to take part in the certification in accordance with the provisions of paragraph 5 of this Section, the State Party shall conduct by itself an in-flight examination in accordance with the provisions of Section III of this Annex and complete a certification report in accordance with the provisions of Section IV of this Annex.

8. The provisions of Article XIII, Section II of the Treaty shall apply to the personnel of each State Party taking part in the certification during the entire period of their stay on the territory of the State Party conducting the certification.

9. The personnel of each State Party taking part in the certification shall leave the territory of the State Party conducting the certification promptly after signing the certification report.

SECTION II. GROUND EXAMINATION

1. With the approval of the State Party conducting the certification, ground examinations by more than one State Party may be conducted simultaneously. States Parties shall have the right jointly to conduct a ground examination of the observation aircraft and its sensors. The State Party conducting the certification shall have the right to determine the number of personnel engaged at any one time in the ground examination of an observation aircraft and its sensors.

2. Unless otherwise agreed, the ground examination shall not exceed three eight-hour periods for each observation aircraft and its sensors.

3. Prior to the commencement of the ground examination, the State Party conducting the certification shall provide the States Parties taking part in the certification with the following information:

- (A) for optical panoramic and framing cameras:
 - (1) the modulation transfer curve of the response of the lens to spatial frequency (frequency/contrast characteristic) at the maximum relative aperture of that lens, in lines per millimetre;

- (2) specifications of the black and white aerial film that will be used to collect data during an observation flight, or for the duplication of such data, in accordance with the provisions of Annex K, Section I, paragraph 2 to the Treaty;
 - (3) specifications of the film processors which will be used to develop original film negatives and duplicators that will be used to produce film positives or negatives, in accordance with the provisions of Annex K, Section I, paragraph 1 to the Treaty; and
 - (4) flight test data showing ground resolution as a function of height above ground level for each type of aerial film that will be used with the optical camera;
- (B) for video cameras, flight test data from all output devices showing ground resolution as a function of height above ground level;
 - (C) for infra-red line-scanning devices, flight test data from all output devices showing ground resolution as a function of height above ground level; and
 - (D) for sideways-looking synthetic aperture radar, flight test data from all output devices showing ground resolution as a function of slant range from the aircraft.
4. Prior to the commencement of the ground examination, the State Party conducting the certification shall provide a briefing to the State Party or States Parties taking part in the certification on:
- (A) its plan for the conduct of the ground examination of the observation aircraft and its sensors;
 - (B) the observation aircraft, as well as its sensors, associated equipment and covers for sensor apertures or other devices that inhibit the operation of sensors, indicating their location on the observation aircraft with the help of diagrams, photographs, slides and other visual materials;
 - (C) all necessary safety precautions that shall be observed during the ground examination of the observation aircraft and its sensors; and
 - (D) the inventory procedures that escorts of the State Party conducting the certification intend to use pursuant to paragraph 6 of this Section.
5. Prior to the commencement of the ground examination, each State Party taking part in the certification shall deliver to the State Party conducting the certification a list of each item of equipment to be used during the ground examination or in-flight examination. The States Parties conducting the examination shall be permitted to take on board the observation aircraft and use video cameras, hand-held audio recorders and hand-held electronic computers. The States Parties taking part in the certification shall be permitted to use other items of equipment, subject to the approval of the State Party conducting the certification.
6. The States Parties taking part in the certification shall, together with the State Party conducting the certification, conduct an inventory of each item of equipment provided for in paragraph 5 of this Section, and review the inventory procedures which shall be followed to confirm that each item of equipment brought on board the observation aircraft by the States

Parties taking part in the certification has been removed from the observation aircraft upon conclusion of the examination.

7. Personnel of each State Party taking part in the certification shall have the right to conduct the following activities during the ground examination on the observation aircraft and of each sensor installed on the observation aircraft:

- (A) confirm that the number and configuration of each sensor installed on the observation aircraft correspond to the information provided in accordance with the provisions of Section I, paragraph 6 of this Annex, Annex C and Annex B, Section I;
- (B) familiarize themselves with the installation of each sensor on the observation aircraft, including the constituent parts thereof and their connections to each other and to any associated equipment used for the annotation of data;
- (C) obtain a demonstration of the control and operation of each sensor; and
- (D) familiarize themselves with the flight test data provided in accordance with the provisions of paragraph 3 of this Section.

8. At the request of any State Party taking part in the certification, the State Party conducting the certification shall photograph any sensor installed on the observation aircraft, the associated equipment on the observation aircraft, or the sensor apertures with their covers or devices which inhibit the operation of sensors. Such photographs shall fulfil the requirements specified in Section I, paragraph 6, subparagraphs (B)(1), (2) and (3) of this Annex.

9. The State Party conducting the certification shall have the right to designate personnel to accompany throughout the ground examination the personnel of the States Parties taking part in the certification to confirm compliance with the provisions of this Section. The personnel of the State Party conducting the certification shall not interfere with the activities of the States Parties taking part in the certification, unless such activities conflict with the safety precautions provided for in paragraph 4, subparagraph (C) of this Section.

10. The State Party conducting the certification shall provide the States Parties taking part in the certification access to the entire observation aircraft, its sensors and associated equipment and sufficient power to operate its sensors and associated equipment. The State Party conducting the certification shall open such compartments or remove panels or barriers, to the extent necessary to permit examination of any sensor and associated equipment subject to certification.

11. Notwithstanding the provisions of this Section, the ground examination shall be conducted in a manner that does not:

- (A) degrade, damage, or prevent subsequent operation of the observation aircraft or its sensors;
- (B) alter the electrical or mechanical structure of the observation aircraft or its sensors; or
- (C) impair the airworthiness of the observation aircraft.

12. The States Parties taking part in the certification shall have the right to take measurements, and make notes, sketches, similar records and recordings using the items of equipment listed in paragraph 5 of this Section, relating to the observation aircraft, its sensors and their associa-

ted equipment. Such working materials may be retained by the State Party taking part in the certification and shall not be subject to any review or examination by the State Party conducting the certification.

13. The State Party conducting the certification shall make every effort to answer questions of the States Parties taking part in the certification that pertain to the ground examination.

14. Upon completion of the ground examination, the States Parties taking part in the certification shall leave the observation aircraft, and the State Party conducting the certification shall have the right to use its own inventory procedures set forth in accordance with paragraph 6 of this Section to confirm that all the equipment used during the ground examination in accordance with paragraph 5 of this Section has been removed from the observation aircraft.

SECTION III. IN-FLIGHT EXAMINATION

1. In addition to conducting a ground examination of the observation aircraft and its sensors, the State Party conducting the certification shall conduct one in-flight examination of its sensors which shall be sufficient to:

- (A) permit observation of the operation of all the sensors installed on the observation aircraft;
- (B) in the event that the ground resolution of a sensor is dependent upon height above ground level, establish the minimum height above ground level from which each such sensor installed on an observation aircraft of that type and model shall be operated for any observation flight, in accordance with the limitation on ground resolution specified in Article IV, paragraph 2 of the Treaty; and
- (C) in the event that the ground resolution of a sensor is not dependent upon height above ground level, establish the ground resolution of each such sensor installed on an observation aircraft of that type and model is in accordance with the limitation on ground resolution specified in Article IV, paragraph 2 of the Treaty.

2. Prior to the commencement of the in-flight examination of the sensors, the State Party conducting the certification shall brief the States Parties participating in the certification on its plan for the conduct of the in-flight examination. This briefing shall include the following information:

- (A) a diagram of the calibration targets that it intends to use for the in-flight examination in accordance with the provisions of Appendix 1, Section I, paragraph 5 to this Annex;
- (B) the estimated time, meteorological conditions, number, direction and height above ground level of each pass over the calibration target appropriate to each sensor to be certified; and
- (C) all necessary safety precautions that shall be observed during the in-flight examination of the observation aircraft and its sensors.

3. Prior to and during the conduct of the in-flight examination, States Parties taking part in the certification shall have the right to visit the loca-

tion of the calibration targets. The State Party conducting the certification shall provide such items of equipment as required to confirm that the calibration targets meet the specifications set forth in Appendix 1, Section I to this Annex.

4. The in-flight examination shall be conducted during clear atmospheric daytime conditions, unless otherwise agreed, over the calibration targets appropriate to each category of sensor installed on the observation aircraft in accordance with the provisions of Appendix 1, Section II to this Annex, to determine the ground resolution of each sensor.

5. The State Party conducting the certification shall provide such data on the meteorological conditions at the location of the calibration targets during the in-flight examination of the sensors as are necessary to make the calculations in accordance with the methodologies specified in Appendix 1, Section III to this Annex.

6. Each State Party shall have the right to designate personnel to take part in the in-flight examination. In the event that the number of individuals so designated exceeds the passenger capacity of the observation aircraft, the States Parties participating in the certification shall agree which of its personnel shall participate in the in-flight examination.

7. Personnel of the States Parties designated pursuant to paragraph 6 of this Section shall have the right to observe the operation of the sensors by personnel of the State Party conducting the certification.

8. Personnel of the States Parties taking part in the certification shall have the right to monitor the unsealing of the film cassette and the storage, processing and handling of the original film negative exposed during the in-flight examination, in accordance with the provisions of Annex K, Section II to the Treaty.

SECTION IV. CERTIFICATION REPORT

1. Upon completion of the ground and in-flight examinations, data collected by sensors and from the calibration targets shall be examined jointly by the State Party conducting the certification and the States Parties taking part in the certification. These States Parties shall prepare a certification report which shall establish:

- (A) that the observation aircraft is of a type and model designated pursuant to Article V of the Treaty;
- (B) that the sensors installed on the observation aircraft are of a category provided for in Article IV, paragraph 1 of the Treaty and satisfy the requirements of Article IV, paragraph 2 of the Treaty;
- (C) that the technical information on sensors has been provided in accordance with Annex B, Section I to the Treaty;
- (D) in the event that the ground resolution of a sensor is dependent upon height above ground level, the minimum height above ground level at which each such sensor on an observation aircraft of that type and model may be operated during an observation flight pursuant to the limitation on ground resolution specified in Article IV, paragraph 2 of the Treaty;
- (E) in the event that the ground resolution is not dependent upon height above ground level, the ground resolution of each such

sensor installed on an observation aircraft of that type and model, pursuant to the limitations on ground resolution specified in Article IV, paragraph 2 of the Treaty; and

- (F) that the covers for sensor apertures or other devices that inhibit the operation of sensors are in accordance with the provisions of Article IV, paragraph 4 of the Treaty.

2. A copy of the information for each sensor provided pursuant to Section I, paragraph 6 and Section II, paragraphs 3 and 8 of this Annex shall be attached to the certification report.

3. Copies of the certification report shall be provided to all other States Parties by the State Party conducting the certification. States Parties that did not take part in the certification shall not have the right to reject the conclusions contained in the certification report.

4. An observation aircraft and its associated set of sensors shall be deemed to be certified unless the States Parties taking part in the certification are unable to reach agreement on the contents of the certification report.

5. In the event that the State Party conducting the certification and States Parties taking part in the certification are unable to reach agreement on the contents of the certification report, the observation aircraft shall not be used for observation flights until the issue is resolved.

APPENDIX 1 TO ANNEX D

METHODOLOGIES FOR THE VERIFICATION OF THE PERFORMANCE OF SENSORS INSTALLED ON AN OBSERVATION AIRCRAFT

The ground resolution of each sensor installed on the observation aircraft, and, where its performance depends on height above ground level, the minimum height above ground level at which this sensor may be operated during an observation flight, shall be determined and confirmed on the basis of data collected over calibration targets appropriate to each category of sensor in accordance with the specifications in Section I and calculated in accordance with the methodologies to be determined within the Open Skies Consultative Commission.

SECTION I. SPECIFICATIONS FOR CALIBRATION TARGETS

1. Calibration targets shall be provided by the State Party conducting the certification in accordance with the provisions of Annex D to the Treaty. Such calibration targets shall be used to establish the ground resolution of sensors, of a type appropriate to each sensor category, and designed in accordance with characteristics specified below.

2. Calibration targets for establishing the ground resolution of optical cameras shall consist of a series of groups of alternating black and white bars. Each group of bars shall consist of a minimum of two black bars separated by a white bar. The width of black and white bars within a group shall remain constant. The width of the bars in groups of bars in the calibration target shall change in steps sufficient to ensure accurate

measurement of the ground resolution. The length of the bars shall remain constant within each group. The contrast ratio of the black to white bars shall be consistent throughout the target and shall be at least 5 to 1 (equivalent to a modulation of 0.66).

3. Calibration targets for establishing the ground resolution of infra-red line-scanning devices shall be determined within the Open Skies Consultative Commission during the period of provisional application.

4. Calibration targets for establishing the ground resolution of side-ways-looking synthetic aperture radar shall consist of arrays of trihedral corner reflectors whose configuration shall be in accordance with the methodologies determined within the Open Skies Consultative Commission during the period of provisional application.

5. Each State Party shall provide all other States Parties with a diagram of the calibration targets that it intends to use for the purpose of in-flight examination. Such diagrams shall be annotated with the overall dimensions of the calibration targets, their locations and the type of terrain on which they are deployed, as well as the information appropriate to each type of calibration target as determined within the Open Skies Consultative Commission during the period of provisional application.

SECTION II. CONDUCT OF IN-FLIGHT EXAMINATION

1. In order to establish the ground resolution of panoramic or vertically-installed framing cameras, the line of flight of the observation aircraft shall be directly over and parallel to the calibration target. In order to establish the ground resolution of obliquely-installed framing cameras, the line of flight of the observation aircraft shall be parallel to the calibration target at a range such that the image of the calibration target appears in the foreground of the field of view of the optical camera set at its maximum angle measured from the horizontal or minimum angle measured from the vertical.

2. In order to establish the ground resolution of an infra-red line-scanning device, the line of flight of the observation aircraft shall be directly over and parallel to the calibration target at an agreed range of heights above ground level.

3. In order to establish the ground resolution of a sideways-looking synthetic aperture radar, the line of flight of the observation aircraft shall be to the side of the array of the corner reflectors.

SECTION III. ANALYSIS OF DATA COLLECTED DURING THE IN-FLIGHT EXAMINATION

1. Following the in-flight examination, the State Party conducting the certification and the States Parties taking part in the certification shall jointly analyse the data collected during the in-flight examination pursuant to Annex D, Section IV, paragraph 1 to the Treaty.

2. The methodology for calculating the minimum height above ground level at which each optical camera installed on the observation aircraft may be operated during an observation flight, including the value of the contrast ratio or the equivalent modulation to be used in this calculation,

which shall be not less than 1.6:1 (correspondingly 0.23) and not greater than 4:1 (correspondingly 0.6), shall be determined within the Open Skies Consultative Commission during the period of provisional application and prior to 30 June 1992. The ground resolution of optical cameras shall be determined from a visual analysis of the image of the calibration target on the original film negative. The numerical value of ground resolution shall be equal to the width of the smallest bar of the calibration target that is distinguishable as a separate bar.

3. The methodology for calculating the minimum height above ground level at which each video camera installed on the observation aircraft may be operated during an observation flight shall be determined within the Open Skies Consultative Commission during the period of provisional application.

4. The methodology for calculating the minimum height above ground level at which an infra-red line-scanning device installed on the observation aircraft may be operated during an observation flight, including the value of the minimum resolvable temperature difference to be used in this calculation, shall be determined within the Open Skies Consultative Commission during the period of provisional application.

5. The methodology for calculating the ground resolution of a side-ways-looking synthetic aperture radar, including the determination of the relationship between the impulse response method and the object separation method, shall be determined within the Open Skies Consultative Commission during the period of provisional application.

ANNEX E

PROCEDURES FOR ARRIVALS AND DEPARTURES

1. Each State Party shall designate one or more points of entry, one or more points of exit, and one or more Open Skies airfields on its territory. Points of entry and points of exit may or may not be the same as the Open Skies airfields. Unless otherwise agreed, if an Open Skies airfield is different from a point of entry, the Open Skies airfield shall be designated so that the observing Party can reach the Open Skies airfield within five hours from the point of entry either in its own observation aircraft or in transportation provided by the observed Party. The observing Party, after arriving at a point of entry or an Open Skies airfield, shall have the right to a rest period, subject to the provisions of Article VI of the Treaty.

2. Each State Party shall have the right to designate entry fixes and exit fixes. If a State Party elects to designate entry fixes and exit fixes, such fixes shall facilitate flight from the territory of the observing Party to the point of entry of the observed Party. Planned flights between entry fixes and points of entry and between points of exit and exit fixes shall be conducted in accordance with published ICAO standards and recommended practices and national regulations. In the event that portions of the flights between entry fixes and points of entry or between points of exit and exit fixes lie in international airspace, the flight through international airspace shall be conducted in accordance with published international regulations.

3. Information on points of entry and points of exit, Open Skies airfields, entry fixes and exit fixes, refuelling airfields, and calibration targets shall initially be as specified in Appendix 1 to this Annex.

4. A State Party shall have the right to introduce changes to Appendix 1 to this Annex by notifying all other States Parties of such changes, in writing, no less than 90 days before such changes become effective.

5. Each State Party shall ensure effective observation of its entire territory as follows:

(A) for its mainland territory, Open Skies airfields shall be designated in such a way that no point on its territory is farther from one or more such airfields than 35 per cent of the maximum flight distance or distances established for that State Party in accordance with Annex A to the Treaty;

(B) for portions of its territory that are separated from the mainland territory:

(1) that State Party shall apply the provisions of subparagraph (A) of this paragraph; or

(2) in the event that the portion or portions of the territory are separated from the mainland territory by more than 600 kilometres, or if agreed between that State Party and the observing Party, or if otherwise provided for in Annex A, that State Party shall provide special procedures, including the possible use of refuelling airfields; or

(3) in the event that a portion or portions of the territory are separated from the mainland territory by less than 600 kilometres, and such portion or portions of the territory are not covered by the provisions of subparagraph

(A) of this paragraph, that State Party may specify a separate maximum flight distance in Annex A to cover such portion or portions of its territory.

6. Immediately upon the arrival of an observation aircraft at the point of entry, and immediately prior to the departure of an observation aircraft from the point of exit, both the observed and observing Parties shall inspect the covers for sensor apertures or other devices that inhibit the operation of sensors installed in accordance with Article IV, paragraph 4. In the event that the point of entry is different from the Open Skies airfield from which the observation flight commences, both the observed and observing Parties shall inspect the covers for sensor apertures or other devices that inhibit the operation of sensors immediately prior to departure of the observation aircraft from the point of entry en route to the Open Skies airfield from which the observation flight commences. In the event that the point of exit is different from the Open Skies airfield at which the observation flight terminates, both the observed and observing Parties shall inspect the covers for sensor apertures or other devices that inhibit the operation of sensors immediately prior to departure of the observation aircraft from such airfield en route to the point of exit.

7. A State Party shall have the right to conduct an examination and inventory of the items of equipment that the other State Party intends to use for the purpose of conducting a pre-flight inspection of sensors and, if applicable, the observation aircraft, as well as items that the flight repre-

sentatives intend to bring on board the observation aircraft. This examination and inventory:

- (A) shall begin no later than one hour after arrival of such items at the point of entry or the Open Skies airfield, at the choice of the State Party conducting the inventory, and shall be completed within one hour; and
- (B) shall be carried out in the presence of one or more designated individuals of the other State Party.

8. If, during the examination and inventory of the items of equipment to be used in the sensor inspection and, if applicable, observation aircraft inspection, as well as the items that the flight representatives intend to bring on board the observation aircraft, the State Party conducting the examination and inventory determines that the items do not conform to the list of authorized equipment contained in Annex D, Section II, paragraph 5, or to the items described in Annex G, Section I, paragraph 4, it shall have the right to deny permission for the use of such items. Items so identified that are brought into the territory of the observed Party by the observing Party shall be, unless otherwise agreed:

- (A) placed in a sealed container for safekeeping; and
- (B) subsequently removed from the territory of the observed Party at the earliest opportunity, but not later than the departure of the observing Party from the territory of the observed Party.

9. In the event that the observing Party travels to the point of entry specified in the notification provided in accordance with Article VI, Section I, paragraph 5 of this Treaty, using a transport aircraft registered with the observing Party or with another State Party, the transport aircraft shall be permitted:

- (A) to depart from the territory of the observed Party;
- (B) in the event that the point of entry is the same as the point of exit, to remain at the point of entry until departure of the observing Party from the territory of the observed Party; or
- (C) in the event that the point of entry is not the same as the point of exit, to fly to the point of exit in sufficient time for further crew rest prior to departure of all the personnel of the observing Party from the territory of the observed Party.

10. In the event that the observation aircraft is provided by the observed Party and the observing Party does not use its own transport aircraft for transporting its personnel from the point of entry to the Open Skies airfield, the observed Party shall ensure that the personnel of the observing Party are transported from the point of entry to the Open Skies airfield and from the Open Skies airfield to the point of exit.

ANNEX E

APPENDIX I

SECTION I. DESIGNATION OF SITES

The sites to be used as points of entry, points of exit, Open Skies airfields, refuelling airfields, calibration targets, and, if applicable, entry fixes and exit fixes are initially as specified in Section II of this Appendix. The designation includes:

- (A) Site: name of point of entry, point of exit, Open Skies airfield, entry fix, exit fix, refuelling airfield, and calibration target;
- (B) Location: latitude and longitude of the respective site, to the nearest second; and
- (C) Inspection: whether or not the pre-flight inspection of the aircraft or the sensors can be conducted at this site.

SECTION II. POINTS OF ENTRY, POINTS OF EXIT, OPEN SKIES

AIRFIELDS, ENTRY FIXES, EXIT FIXES, REFUELLING AIRFIELDS, AND CALIBRATION TARGETS

State Party: The Federal Republic of Germany

<u>POINT OF ENTRY/EXIT</u>		<u>INSPECTION OF</u>
<u>SITE</u>	<u>LOCATION</u>	<u>AIRCRAFT/SENSORS</u>
Köln/Bonn (EDDK)	N 50-52-02 E 007-08-37	Yes

<u>OPEN SKIES AIRFIELDS</u>		<u>INSPECTION OF</u>
<u>SITE</u>	<u>LOCATION</u>	<u>AIRCRAFT/SENSORS</u>
Wunstorf (EDNW)	N 52-27-48 E 009-25-70	No
Landsberg/Lech (EDSA)	N 48-04-28 E 010-54-42	No

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Köln/Bonn	To be determined

State Party: The United States of America

POINTS OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Washington Dulles International, DCW	N 38-56-36 077-27-24	Yes
Travis AFB California	N 38-15-48 W 121-55-48	Yes

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Washington Dulles International, DCW	N 38-56-36 077-27-24	Yes
Travis AFB California	N 38-15-48 W 121-55-48	Yes
Elmendorf AFB Alaska	N 61-15-12 W149-47-30	Yes
Lincoln Municipal Nebraska	N 40-51-00 W 096-45-30	No

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

Honolulu International	N 21-19-06
Hawaii	W 157-55-24
Malmstrom AFB	N 47-30-18
Montana	W 111-11-00
Phoenix-Sky Harbor	N 33-26-12
International Arizona	W 112-00-24
General Mitchell N	42-56-48
International Wisconsin	W 087-53-36
McGhee Tyson	N 35-48-48
Tennessee	W 083-59-36

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Washington Dulles	To be determined
Travis AFB	To be determined
Elmendorf AFB	To be determined

State Party: Republic of Belarus and the Russian Federation group of States Parties

POINTS OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Kubinka	N 55-36-30 E 036-39-10	Yes
Ulan-Ude	N 51-48-00 E 107-27-00	Yes

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Kubinka	N 55-36-30 E 036-39-10	Yes
Ulan-Ude	N 51-48-00 E 107-27-00	Yes
Magadan	N 59-54-06 E 150-03-01	No
Vorkuta	N 67-29-00 E 063-59-00	No

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDSCALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
State Party:	Benelux

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Zaventem/ Melsbroek	N 50-54-01 W 004-59-09	Yes

OPEN SKIES AIRFIELD

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Zaventem/	N 50-54-01	Yes

Melsbroek W 004-59-09

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Volkel	N 54-39-03 W 005-42-02

State Party: Republic of Bulgaria

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Sofia	N 42-41-07 E 023-24-05	Yes

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Sofia	N 42-41-07 E 023-24-05	Yes
Burgas	N 42-34-00 E 027-30-00	No

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>
Sofia	N 42-41-07 E 023-24-05
Burgas	N 42-34-00 E 027-30-00

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
State Party:	Canada

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Ottawa (CYOW)	N 45-19-21 W 075-40-10	Yes

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Ottawa	N 45-19-21 W 075-40-10	Yes
Iqaluit	N 63-45-22 W 068-33-25	No
Yellowknife	N 62-27-45 W 114-26-20	No

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>
Edmonton	N 53-18-35 W 113-34-43
Halifax	N 44-52-51 W 063-30-33
Winnipeg	N 49-54-39 W 097-14-35
Churchill	N 58-44-13 W 094-03-26

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Ottawa area	To be determined
State Party:	The Kingdom of Denmark

POINTS OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Copenhagen International Airport (EKCH)	N 55-37-07 E 012-39-26	No
Military Airfield Vaerlose (EKVL)	N 55-46-09 E 012-19-34	Yes

OPEN SKIES AIRFIELD

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Military Airfield Vaerlose	N 55-46-09 E 012-19-34	Yes

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>
Vagar Airport (EKVG)	N 62-03-51 W 007-16-26
Soendre Stroemfjord International Airport (BGSF)	N 67-01-05 W 050-41-39

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Military Airfield Vaerloese	N 55-46-09 E 012-19-34

State Party: The Kingdom of Spain

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Getafe	N 40-17-43 W 003-43-21	Yes

POINT OF ENTRY/EXIT FOR CANARY ISLANDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Gando	N 27-55-49 W 015-23-05	Yes

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Getafe	N 40-17-43 W 003-43-21	Yes
Valencia	N 39-29-26 W 000-28-50	No
Valladolid	N 41-42-26 W 004-51-02	No
Moron	N 37-10-34 W 005-36-53	No

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

Nil

CALIBRATION TARGETSSITE

State Party:

LOCATION

The French Republic

POINT OF ENTRY/EXITSITE

Orleans-Bricy

LOCATIONN 47-59-12
E 001-45-43INSPECTION OF
AIRCRAFT/SENSORS

Yes

OPEN SKIES AIRFIELDSSITE

Orleans-Bricy

LOCATIONN 47-59-12
E 001-45-43INSPECTION OF
AIRCRAFT/SENSORS

Yes

Toulouse-Blagnac

N 43-37-26
E 001-22-53

No

Nice-Côte d'Azur

N 43-39-47
E 007-12-09

No

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

Nil

CALIBRATION TARGETSSITE

State Party: The United Kingdom of Great Britain and Northern Ireland

LOCATIONPOINTS OF ENTRY/EXITSITE

Brize Norton

LOCATIONN 51-44-97
W 001-34-93
N 51-28-72
W 000-27-47INSPECTION OF
AIRCRAFT/SENSORS

Yes

Heathrow

No

NOTE: Heathrow is for arrival of personnel on scheduled passenger services only. Not for observation or transport aircraft.

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Brize Norton	N 51-44-97 W 001-34-93	Yes
Scampton	N 53-18-45 W 000-32-95	Yes
Leuchars	N 55-22-38 W 000-52-03	Yes

ENTRY/EXIT FIXES

To be determined by FAA

REFUELLING AIRFIELDS

Nil

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Boscombe Down	N 51-09-10 W 001-44-76

State Party: The Hellenic Republic

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Thessaloniki International	N 40-27-22 E 022-59-21	Yes

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Thessaloniki International	N 40-27-22 E 022-59-21	Yes
Elefsis	N 38-04-00 E 023-33-38	Yes

ENTRY/EXIT FIX

Chouchouligovo	N 41-24-40 E 023-22-02
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REFUELLING AIRFIELDS

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
State Party:	The Republic of Hungary

POINTS OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Budapest/Ferihegy (LHBP)	N 47-26-18 E 019-15-48	Yes
Tokol (LHTL)	N 47-21-14 E 018-58-08	Yes

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Budapest/Ferihegy (LHBP)	N 47-26-18 E 019-15-48	Yes
Tokol (LHTL)	N 47-21-14 E 018-58-08	Yes

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

None

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
	To be determined
State Party:	The Republic of Iceland

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Keflavik	N 63-59-48 W 022-36-30	Yes

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
	N 63-59-07 W 022-36-20	

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

SITE LOCATION

CALIBRATION TARGETS

SITE LOCATION

State Party: The Republic of Italy

POINTS OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Milano-Malpensa	N 45-38-00	Yes
	E 008-44-00	
Palermo-Punta	N 38-10-40	Yes
Raisi	E 013-05-20	

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Milano-Malpensa	N 45-38-00	Yes
	E 008-44-00	
Palermo-Punta	N 38-10-40	Yes
Raisi	E 013-05-20	

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

The above-mentioned Open Skies airfields

CALIBRATION TARGETS

SITE LOCATION
State Party: The Kingdom of Norway

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Oslo-Gardermoen	N 60-12-10	Yes
(ENGM)	E 011-05-08	

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Oslo-Gardermoen	N 60-12-10	Yes
(ENGM)	E 011-05-08	
Tromsøe-Langnes	N 69-40-53	No
(ENTC)	E 018-55-10	

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>
Trondheim-Vaernes (ENVA)	N 63-27-29 E 010-55-33

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
State Party:	The Republic of Poland

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Warszawa-Okecie	N 52-13-10 E 021-01-10	Yes

OPEN SKIES AIRFIELD

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Warszawa-Okecie	N 52-13-10 E 021-01-10	Yes

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDSCALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
State Party:	The Portuguese Republic

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Lisboa	N 38-46-22	Yes
International	W 009-07-58	

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Sta. Maria	N 36-58-22	No
	W 025-10-17	
Porto Santo	N 33-04-01	No
	W 016-20-44	

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

Lisboa	N 38-46-22
International	W 009-07-58
Sta. Maria	N 36-58-22
International	W 025-10-17
Porto Santo	N 33-04-01
	W 016-20-44

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Lisboa	To be determined
International	

State Party: Romania

POINTS OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Bucharest-Otopeni	N 44-34-30	Yes
International	E 026-05-10	
Airport		
Timisoara	N 45-48-37	Yes
Airport	E 021-20-22	

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Bucharest-Otopeni	N 44-34-30	Yes
International	E 026-05-10	
Airport		
Timisoara	N 45-48-37	Yes
Airport	E 021-20-22	
Bacau Airport	N 46-31-19	No
	E 026-54-41	

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>
Bucharest-Otopeni	N 44-34-30
International	E 026-05-10
Airport	
Timisoara	N 45-48-37
Airport	E 021-20-22

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Uralati	N 45-55-45 E 026-05-11
Dunavat	N 45-02-10
Nord Murighiol	E 029-13-20

State Party: The Czech and Slovak Federal Republic

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Praha	N 50-06-10	Yes
International	E 014-15-40	

OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Praha	N 50-06-10	Yes
International	E 014-15-40	
Bratislava	N 49-10-10	No
International	E 017-12-50	
Kosice	N 48-40-10	No
International	E 021-14-40	

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>
Bratislava	N 49-10-10
International	E 017-12-50
Kosice	N 48-40-10
International	E 021-14-40

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Praha	To be determined
International	

State Party: The Republic of Turkey

POINTS OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Eskisehir	N 39-47-00 E 030-35-00	Yes

Diyarbakir	N 30-50-00 E 040-05-00	Yes
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OPEN SKIES AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Eskisehir	N 39-47-00 E 030-35-00	Yes
Diyarbakir	N 30-50-00 E 040-05-00	Yes

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

To be determined

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
Eskisehir	To be determined
Diyarbakir	To be determined

State Party: Ukraine

POINT OF ENTRY/EXIT

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Borispol/Kiev	N 50-20-07 E 030-53-07	Yes

OPEN SKIES AIRFIELD

<u>SITE</u>	<u>LOCATION</u>	<u>INSPECTION OF AIRCRAFT/SENSORS</u>
Borispol/Kiev	N 50-20-07 E 030-53-07	Yes

ENTRY/EXIT FIXES

To be determined

REFUELLING AIRFIELDS

<u>SITE</u>	<u>LOCATION</u>
Lvov	N 49-48-07 E 023-57-03
Odessa	N 46-25-06 E 030-40-07

CALIBRATION TARGETS

<u>SITE</u>	<u>LOCATION</u>
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ANNEX F

PRE-FLIGHT INSPECTIONS AND DEMONSTRATION FLIGHTS**SECTION I. PRE-FLIGHT INSPECTION OF OBSERVATION AIRCRAFT AND SENSORS OF THE OBSERVING PARTY**

1. The purpose of the pre-flight inspection of observation aircraft and sensors provided by the observing Party is to confirm that the observation aircraft, its sensors and associated equipment correspond to those certified in accordance with the provisions of Annex D to the Treaty. The observed Party shall have the right to conduct a pre-flight inspection of an observation aircraft and its sensors provided by the observing Party to confirm that:

(A) the observation aircraft, its sensors and associated equipment including, where applicable, lens and photographic film, correspond to those certified in accordance with the provisions of Annex D to the Treaty; and

(B) there are no items of equipment on board the observation aircraft other than those permitted by Article IV of the Treaty.

2. Upon arrival of the observation aircraft at the point of entry the observed Party shall:

(A) provide a list of the inspectors, the number of whom shall not exceed ten persons, unless otherwise agreed, including the general function of each of the inspectors;

(B) provide a list of the items of equipment that they intend to use during the pre-flight inspection provided for in Annex D, Section II, paragraph 5 to the Treaty; and

(C) inform the observing Party of its plan for the pre-flight inspection of the observation aircraft and its sensors.

3. Prior to the commencement of the pre-flight inspection, a designated individual from the observing Party shall:

(A) brief the observed Party on the inventory procedures which shall be followed to confirm that all inspection equipment, as well as any non-destructive-testing equipment as provided for in paragraph 7 of this Section, brought on board the observation aircraft by the inspectors has been removed from the observation aircraft upon conclusion of the pre-flight inspection;

(B) together with the inspectors, conduct an examination and inventory of each item of equipment to be used during the pre-flight inspection; and

(C) brief the inspectors on all safety precautions that they shall observe during the pre-flight inspection of the observation aircraft and its sensors.

4. The pre-flight inspection shall not begin until the completion of the formal arrival procedures and shall take no longer than eight hours.

5. The observing Party shall have the right to provide its own escorts to accompany the inspectors throughout the pre-flight inspection of the observation aircraft and its sensors to confirm that the inspection is conducted in accordance with the provisions of this Section. The observing Par-

ty shall facilitate the inspection in accordance with the procedures specified in Annex D, Section II, paragraphs 7 and 8 to the Treaty.

6. In conducting the pre-flight inspection, the inspectors shall have the right of access to the observation aircraft, its sensors and associated equipment, in the same manner as provided for in Annex D, Section II, paragraph 10, and shall comply with the provisions of Annex D, Section II, paragraphs 11 and 12 to the Treaty.

7. For the purposes of this inspection, the observed Party shall have the right to take on board and use the following non-destructive-testing equipment:

- (A) video probe (borescope on video camera);
- (B) X-ray and backscatter X-ray imaging equipment;
- (C) ultrasonic imaging equipment;
- (D) logic/data analyser;
- (E) passive infra-red sensors; and
- (F) 35 millimetre camera.

In addition, the observed Party shall have the right to take on board and use such other non-destructive-testing equipment as may be necessary to establish that no items of equipment are on board the observation aircraft other than those permitted by Article IV of the Treaty, as may be agreed by the Open Skies Consultative Commission prior to 30 June 1992.

8. Upon completion of the pre-flight inspection, the inspectors shall leave the observation aircraft, and the observing Party shall have the right to use its own inventory procedures to confirm that all inspection equipment used during the pre-flight inspection has been removed from the observation aircraft. If the observed Party is unable to demonstrate this to the satisfaction of the observing Party, the observing Party shall have the right to proceed with the observation flight or to cancel it, and when the observing Party is satisfied that it is safe to do so, depart from the territory of the observed Party. In the latter case, no observation flight shall be recorded against the quota of either State Party.

9. The inspectors shall immediately inform the observing Party if they establish that the observation aircraft, its sensors or associated equipment do not correspond to those certified in accordance with the provisions of Annex D to the Treaty, or that there are items of equipment on board the observation aircraft other than those permitted by Article IV of the Treaty. If the observing Party is unable to demonstrate that the observation aircraft, its sensors and associated equipment correspond to those certified in accordance with the provisions of Annex D to the Treaty and that there are no items of equipment on board the observation aircraft other than those permitted by Article IV of the Treaty, and if the observing and observed Parties do not agree otherwise, the observed Party shall have the right to prohibit the observation flight pursuant to Article VIII of the Treaty. If the observation flight is prohibited, the observation aircraft shall promptly depart from the territory of the observed Party and no observation flight shall be recorded against the quota of either State Party.

10. Upon completion of the pre-flight inspection of the observation aircraft and its sensors, the observed and observing Parties shall prepare a pre-flight inspection report which shall state that:

(A) the observation aircraft, its sensors and associated equipment correspond to those certified in accordance with the provisions of Annex D to the Treaty; and

(B) there are no items of equipment on board the observation aircraft other than those permitted by Article IV of the Treaty.

11. Signature of the pre-flight inspection report by the observed Party shall signify its agreement for the observing Party to use that observation aircraft to conduct an observation flight over the territory of the observed Party.

SECTION II. PRE-FLIGHT INSPECTION OF SENSORS OF THE OBSERVED PARTY

1. The purpose of the pre-flight inspection of the sensors on an observation aircraft provided by the observed Party is to confirm that the sensors and associated equipment correspond to those certified in accordance with the provisions of Annex D to the Treaty. The observing Party shall have the right to conduct a pre-flight inspection of the sensors and associated equipment installed on an observation aircraft provided by the observed Party to confirm that its sensors and associated equipment correspond to those certified in accordance with the provisions of Annex D to the Treaty.

2. Upon arrival of the inspectors of the observing Party at the location of the pre-flight inspection, the observing Party shall:

(A) provide a list of the inspectors, the number of whom shall not exceed five persons, unless otherwise agreed, including the general function of each inspector;

(B) provide a list of the items of equipment that the inspectors intend to use during the pre-flight inspection; and

(C) inform the observed Party of its plan for the pre-flight inspection of the sensors and associated equipment on board the observation aircraft.

3. Prior to the commencement of the pre-flight inspection, a designated individual from the observed Party shall:

(A) brief the observing Party on the inventory procedures that shall be followed to confirm that each item of equipment brought on board the observation aircraft by the inspectors has been removed from the observation aircraft upon conclusion of the pre-flight inspection;

(B) together with the inspectors, conduct an examination and inventory of each item of equipment to be used during the pre-flight inspection; and

(C) brief the inspectors on all necessary safety precautions that they must observe during the pre-flight inspection of the sensors and associated equipment installed on the observation aircraft.

4. The pre-flight inspection shall not begin until the completion of the formal arrival procedures and shall take no longer than eight hours.

5. The observed Party shall have the right to provide its own escorts to accompany the inspectors throughout the pre-flight inspection of the sensors and associated equipment on board the observation aircraft to confirm that the inspection is conducted in accordance with the provisions of

this Section. The observed Party shall facilitate the inspection of the sensors and associated equipment on board the observation aircraft by the inspectors in accordance with the procedures specified in Annex D, Section II, paragraph 7 to the Treaty.

6. In conducting the pre-flight inspection, the inspectors shall have the right of access to the sensors and associated equipment on board the observation aircraft in the same manner as provided for in Annex D, Section II, paragraph 10 and shall comply with the provisions of Annex D, Section II, paragraphs 11 and 12 to the Treaty.

7. Upon completion of the pre-flight inspection, the inspectors shall leave the observation aircraft and the observed Party shall have the right to use its own inventory procedures to confirm that all items of equipment have been removed from the observation aircraft. If the observing Party is unable to demonstrate this to the satisfaction of the observed Party, the observed Party shall have the right to prohibit the observation flight in accordance with Article VIII of the Treaty, and no observation flight shall be recorded against the quota of either State Party.

8. The inspectors shall immediately inform the observed Party if they establish that any of the sensors or associated equipment on board the observation aircraft do not correspond to those certified in accordance with the provisions of Annex D to the Treaty. If the observed Party is unable to demonstrate that the sensors or associated equipment on board the observation aircraft correspond to those certified in accordance with Annex D to the Treaty, the observing Party shall have the right to:

- (A) agree to use an alternative package of sensor types or capabilities proposed by the observed Party;
- (B) proceed according to the original mission plan;
- (C) accept a delay in the commencement of the observation flight to permit the observed Party to rectify the problem determined to exist by the observing Party pursuant to this paragraph. In the event that the problem is resolved to the satisfaction of the observing Party, the flight shall proceed according to the mission plan, revised as necessary due to any delay. In the event that the problem is not rectified to the satisfaction of the observing Party, the observing Party shall depart the territory of the observed Party; or
- (D) cancel the observation flight, and immediately depart the territory of the observed Party.

9. If the observing Party leaves the territory of the observed Party not having conducted an observation flight, as provided for in paragraph 8, subparagraphs (C) and (D) of this Section, no observation flight shall be counted against the quota of either State Party.

10. Upon completion of the pre-flight inspection of the sensors and associated equipment installed on the observation aircraft, the observed Party and the observing Party shall prepare a pre-flight inspection report that shall state that the sensors correspond to those certified in accordance with the provisions of Annex D to the Treaty. Signature of the pre-flight inspection report by the observing Party shall signify its agreement to use that observation aircraft to conduct an observation flight over the territory of the observed Party.

SECTION III. DEMONSTRATION FLIGHTS

1. In the event that the aircraft is provided by the observing Party, at the request of the observed Party, the observing Party shall, following the pre-flight inspection, conduct a demonstration flight to allow the inspectors to observe the functioning of the sensors that are to be used during the observation flight and to collect sufficient data to allow them to confirm that the capability of those sensors is in accordance with the provisions of Article IV, paragraph 8 of the Treaty.

2. In the event that the aircraft is provided by the observed Party, at the request of the observing Party, the observed Party shall, following the pre-flight inspection, conduct a demonstration flight to allow the inspectors to observe the functioning of the sensors that are to be used during the observation flight and to collect sufficient data to allow them to confirm that the capability of those sensors is in accordance with the provisions of Article IV, paragraph 9 of the Treaty.

3. In the event that either the observed or observing Party exercises its right to request a demonstration flight:

- (A) the demonstration flight shall be performed in accordance with the requirements of Annex D, Section III;
- (B) the demonstration flight shall last for no more than two hours;
- (C) the observed Party shall provide calibration targets in accordance with the specifications in Appendix 1 to Annex D to the Treaty in the vicinity of the airfield at which the pre-flight inspection is to be conducted;
- (D) any delay in carrying out a request for a demonstration flight caused by weather conditions or problems with the aircraft or sensors of the observed Party shall not count against the time allocated for such flights, unless otherwise agreed;
- (E) the observed Party shall process the data collected by sensors at a facility in the vicinity of the airfield at which the pre-flight inspection is to be conducted, in the presence of personnel of the observing Party, in accordance with the provisions of Article IX, Sections II and III of the Treaty; and
- (F) the cost of the demonstration flight, including the provision of data recording media and the processing of data, shall be distributed in accordance with the provisions of Annex L, Section I, paragraph 9 to the Treaty.

4. In the event that the observed Party exercises its right to request a demonstration flight, the observing Party shall have the right to add a period of up to 24 hours to the 96 hours allowed for the conduct of the observation flight, pursuant to Article VI, Section I, paragraph 9. This shall not affect the right of other States Parties to conduct observation flights after the original period of 96 hours as provided for in Article VI, Section I, paragraph 3 of the Treaty.

5. In the event that the observing Party exercises its right to request a demonstration flight, this shall be accomplished within the period of 96 hours allowed for the conduct of the observation flight, pursuant to Article VI, Section I, paragraph 9 of the Treaty.

6. In the event that the observed Party is not satisfied that the capability of any sensor installed on the observation aircraft provided by the ob-

serving Party is in accordance with the provisions of Article IV, paragraph 8 of the Treaty, the observed Party shall have the right to:

- (A) in the case of a sensor for which ground resolution is dependent upon height above ground level, propose an alternative minimum height above ground level at which that sensor shall be permitted to be operated during the observation flight;
- (B) in the case of sensors for which ground resolution is not dependent upon height above ground level, prohibit the operation of that sensor during the observation flight; or
- (C) prohibit the observation flight pursuant to the provisions of Article VIII of the Treaty.

7. In the event that the observing Party is not satisfied that the capability of any sensor installed on the observation aircraft provided by the observed Party is in accordance with the provisions of Article IV, paragraph 9 of the Treaty, the observing Party shall have the right to:

- (A) agree to use an alternative package of sensor types or capabilities proposed by the observed Party;
- (B) in the case of a sensor for which ground resolution is dependent upon height above ground level, propose an alternative minimum height above ground level at which that sensor shall be permitted to be operated during the observation flight;
- (C) in the case of sensors for which ground resolution is not dependent upon height above ground level, conduct the observation flight as planned, and the cost of the data recording media for that sensor shall be borne by the observed Party;
- (D) accept a delay in the commencement of the observation flight to permit the observed Party to rectify the problem determined to exist by the observing Party. In the event that the problem is resolved to the satisfaction of the observing Party, the flight shall proceed according to the mission plan, revised as necessary due to any delay. In the event that the problem is not rectified to the satisfaction of the observing Party, the observing Party shall depart the territory of the observed Party; or
- (E) cancel the observation flight pursuant to Article VIII of the Treaty, and immediately depart the territory of the observed Party.

8. In the event that the observation flight is prohibited or cancelled by the State Party requesting the demonstration flight, no observation flight shall be counted against the quota of either State Party, and the State Party requesting the demonstration flight shall convey the matter to the Open Skies Consultative Commission.

ANNEX G

FLIGHT MONITORS, FLIGHT REPRESENTATIVES, AND REPRESENTATIVES**SECTION I. FLIGHT MONITORS AND FLIGHT REPRESENTATIVES**

1. The provisions set forth in this Annex shall apply to personnel designated in accordance with Article XIII. Each State Party shall have the right to have at any one time the number of flight monitors and flight representatives on board the observation aircraft as set forth in Article VI, Section III. The provisions of that Section shall govern their activities with respect to the organization and conduct of observation flights. Each State Party shall facilitate the activities of the flight monitors and flight representatives pursuant to this Annex.

2. The observed Party shall appoint one of the flight monitors as chief flight monitor. The chief flight monitor shall be a national of the observed Party. The observing Party shall appoint one of the flight representatives as chief flight representative. The chief flight representative shall be a national of the observing Party.

3. In preparing for the observation flight, flight monitors and flight representatives shall have the right:

- (A) to acquaint themselves with the technical literature relating to the functioning and operation of the sensors and the flight operation manual of the observation aircraft; and
- (B) to acquaint themselves with the equipment of the observation aircraft relating to the control of the flight regime and the functioning and operation of the sensors installed on the observation aircraft.

4. Flight monitors and flight representatives shall have the right:

- (A) to remain on board the observation aircraft throughout the observation flight, including any stops for refuelling or emergencies;
- (B) to bring on board the observation aircraft and use maps, flight charts, publications, and operations manuals;
- (C) to move unencumbered about the observation aircraft, including the flight deck, during the observation flight, except for flight safety reasons. In exercising their rights, the flight monitors or flight representatives shall not interfere with the activities of the flight crew;
- (D) to monitor compliance with the flight plan and to observe the flight regime of the observation aircraft and the functioning and operation of the sensors;
- (E) to listen to internal and external radio communications on board the aircraft and to make internal radio communications; and
- (F) to record the parameters of the flight regime and the functioning and operation of the sensors on maps, charts, and notepads.

5. In addition to those rights specified in paragraph 4 of this Section, the chief flight monitor shall have the right:

- (A) to consult the flight crew regarding compliance with national flight rules and the provisions of the Treaty;
- (B) to observe the activities of the flight crew, including activities on the flight deck, during the observation flight, as well as to monitor the functioning and operation of the flight and navigation instruments of the observation aircraft;
- (C) to provide recommendations to the flight crew regarding compliance with the flight plan;
- (D) to ask the flight crew, without interfering with their activities, for information on the flight regime; and
- (E) to communicate with air traffic control authorities, as appropriate, and to help relay and interpret communications from air traffic control authorities to flight crew and from the flight crew to the air traffic control authorities about the conduct of the observation flight; for this purpose, the chief flight monitor shall be permitted to make external radio communications using the radio equipment of the observation aircraft.

6. In the event that the chief flight monitor believes that the observation aircraft is deviating from its flight plan, the chief flight monitor shall advise the flight crew and may inform the air traffic control authorities of any deviations of the observation aircraft from the flight plan that the chief flight monitor believes could threaten flight safety.

7. In addition to the rights specified in paragraph 5 of this Section, the chief flight representative shall have:

- (A) the rights as described in paragraph 5, subparagraphs (A), (B) and (D) of this Section with regard to the flight crew; and
- (B) the right, in case of deviation from the flight plan, to receive an explanation from the flight crew as to the reasons for such a deviation.

8. Flight representatives shall have the right to direct the operation of the sensors during the observation flight. In addition, upon notification to the observed Party prior to the commencement of the observation flight, flight representatives shall have the right to operate the sensors during the observation flight. In the event that the flight representatives exercise their right to operate the sensors pursuant to this paragraph, the observed Party shall not be responsible for any failure or inadequacy in the quality of the data collected by the sensors due to the operation of the sensors by the flight representatives.

SECTION II. REPRESENTATIVES

1. An observing Party using an observation aircraft designated by a third State Party shall have the right to have at any one time the number of representatives on board the observation aircraft set forth in Article VI, Section III of the Treaty.

2. The observing Party shall appoint one of its representatives as chief representative. The chief representative shall have the rights of the chief

flight representative as specified in Section I of this Annex. In addition, the chief representative shall:

- (A) advise the pilot-in-command regarding compliance with the provisions of the Treaty;
- (B) have the right to monitor compliance by the observed Party with the provisions of the Treaty; and
- (C) have the right, in case of deviations from the flight plan, to receive an explanation from the pilot-in-command as to the reasons for such a deviation.

3. Representatives shall have the rights of flight representatives as specified in Section I of this Annex.

ANNEX H

CO-ORDINATION OF PLANNED OBSERVATION FLIGHTS

1. In order to avoid potential time conflict regarding the conduct of observation flights over the same State Party, each State Party having the right to conduct observation flights following the annual distribution of active quotas may notify all other States Parties, no later than 1 November of each year, of its plans to utilize all or part of its active quota during the following year. The notification shall indicate the number of observation flights that the notifying State Party plans to conduct over the territory of other States Parties during each quarter of that year.

2. In no case shall the total number of observation flights planned and notified in accordance with paragraph 1 of this Annex over the territory of any one State Party during a given quarter exceed 16. Except as provided for in Article VI, Section I, paragraph 3, no State Party shall be obliged to accept more than one observation flight at any time during the period specified in Article VI, Section I, paragraph 9 of the Treaty.

3. States Parties that have notified, in accordance with paragraph 1 of this Annex, their plans to utilize one or more active quotas for observation flights over the territory of the same State Party during a given quarter or quarters shall hold consultations, if necessary, to avoid any conflict in their planned observation flights. In the event that agreement on avoidance of conflict cannot be reached through consultation among the States Parties involved, the issue shall be resolved by the drawing of lots by such States Parties. The first of those consultations, regarding observation flights in the quarter beginning 1 January of the following year, shall begin promptly following receipt of the notification provided for in paragraph 1 of this Annex. Subsequent consultations among the States Parties involved shall be conducted between 1 February and 15 February for the quarter beginning 1 April; between 1 May and 15 May for the quarter beginning 1 July; and between 1 August and 15 August for the quarter beginning 1 October. The States Parties involved shall notify the resulting sequence of observation flights established in these consultations to all States Parties no later than 15 November, 15 February, 15 May and 15 August, respectively.

4. No later than seven days after the notification of the sequence of observation flights established pursuant to paragraph 3 of this Annex, each

State Party shall notify all States Parties planning to conduct observation flights over its territory during that quarter of each flight for which it intends to exercise the right to provide its own observation aircraft.

5. Each State Party that has not provided a notification pursuant to paragraph 1 of this Annex or has not notified its plans to utilize all of its active quotas, or has not conducted an observation flight during the quarter for which it had notified such planned flight, shall have the right to utilize such remaining active quotas, provided that such observation flights have been accommodated within the existing agreement reached pursuant to paragraph 3 of this Annex.

ANNEX I

INFORMATION ON AIRSPACE AND FLIGHTS IN HAZARDOUS AIRSPACE

1. No earlier than 90 days after entry into force of the Treaty, at the request of any other State Party, a State Party shall provide, no later than 30 days after the receipt of such a request, the following information in accordance with ICAO provisions:

- (A) its airspace structure, as published in the Aeronautical Information Publication (AIP) series;
- (B) detailed information on all hazardous airspace; and
- (C) airfield information and arrival and departure procedures for each of its:
 - (1) points of entry and points of exit;
 - (2) Open Skies airfields; and
 - (3) alternate airfields and refuelling airfields for its points of entry, points of exit, and Open Skies airfields.

2. Each State Party shall promptly notify States Parties that have requested information in accordance with the provisions of paragraph 1 of this Annex of any changes to the information provided in accordance with paragraph 1 of this Annex. Notwithstanding the provisions of this paragraph, Notices to Airmen (NOTAMs) need not be provided.

3. No later than 90 days after entry into force of the Treaty, each State Party shall notify all other States Parties of the source of the information to be provided in accordance with paragraph 1 of this Annex.

ANNEX J

MONTREUX CONVENTION

1. Observation flights conducted under the provisions of the Treaty providing for the observation of the entire territory of States Parties shall not prejudice the Montreux Convention of 20 July 1936.

2. The routing and notification of transit flights of aircraft for the purpose of the Treaty falling within the scope of Article 23 of the Montreux Convention shall be governed by the provisions of that Article.

ANNEX K

INFORMATION ON FILM PROCESSORS, DUPLICATORS AND PHOTOGRAPHIC FILMS, AND PROCEDURES FOR MONITORING THE PROCESSING OF PHOTOGRAPHIC FILM**SECTION I. INFORMATION ON FILM PROCESSORS, DUPLICATORS AND PHOTOGRAPHIC FILMS**

1. Pursuant to Annex D, Section II, paragraph 3, subparagraph (A) (3) to the Treaty, each State Party, when notifying other States Parties of film processors or duplicators that it intends to use to develop original film negatives or produce duplicate film positives or negatives, shall provide the following manufacturer's information:

- (A) the processor or duplicator name;
- (B) the maximum and minimum width and length, if applicable, of film which may be processed or duplicated;
- (C) each type of film that may be processed or duplicated in that film processor; and
- (D) each step in the process, including the range of exposure, temperature, duration, recommended film transport speed, chemicals and chemical mixes, for each type of film.

2. Pursuant to Annex D, Section II, paragraph 3, subparagraph (A) (2) to the Treaty, each State Party, when providing information on the types of black and white aerial film that it intends to use to collect data during the in-flight examination or an observation flight, or to duplicate such data, shall provide the following manufacturer's information, for each type of aerial film that may be processed or duplicated by means of the film processors or duplicators referred to in paragraph 1 of this Section, as necessary to confirm the capabilities of the film. Depending upon national practices of the film manufacturer, such information may include:

- (A) effective film speed;
- (B) resolution/modulation
- (C) spectral sensitivity; and
- (D) optical specular density or sensitometric characteristics.

3. For the purposes of determining the sensitometric characteristics of aerial film materials in accordance with its own national methodology, each State Party shall have the right to receive, upon request, unexposed samples of all types of photographic film to be used as data recording media, the chemicals for processing them, and to receive instructions for processing and duplication of such photographic films. Such samples and instructions shall be provided no later than 30 days after receipt of such a request.

SECTION II. MONITORING OF FILM PROCESSING AND DUPLICATION

1. States Parties taking part in the certification of an observation aircraft and its sensors shall have the right to monitor the processing and duplication of the aerial film used during the in-flight examination. Per-

sonnel of the observed and observing Party shall have the right to monitor the processing and duplication of the aerial film used during a demonstration and observation flight.

2. While monitoring the processing and duplication of aerial film, the States Parties shall have the right to bring with them and use, in a manner that does not disrupt the processing or duplication of the film, the following equipment:

- (A) litmus papers;
- (B) thermometers;
- (C) chemical test equipment, including pH meters and hydrometers;
- (D) stopwatches;
- (E) sensitometers;
- (F) densitometers; and
- (G) 21-step sensitometric test strips and optical wedges.

3. Prior to the processing of the films exposed during the in-flight examination, demonstration flight and observation flight, States Parties shall check the film processing equipment and chemicals by processing a 21-step sensitometric test strip or exposing and processing a 21-step optical wedge to confirm that the sensitometric data for the processing of that type of film using that film process meets the specifications provided pursuant to Section I of this Annex. Unless otherwise agreed, the original or duplicate aerial film negatives or positives shall not be processed or duplicated until the processing of the 21-step sensitometric test strip or exposing and processing of the 21-step optical wedge meets the characteristics provided in accordance with the provisions of Section I of this Annex for that type of aerial film and film processor or duplicator.

4. Prior to the processing of the films exposed during the in-flight examination, demonstration flight and observation flight, States Parties shall have the right to check the film processing equipment and chemicals by exposing and processing a test film of the same type used during the in-flight examination, demonstration flight and observation flight to confirm that the washing and fixing process is suitable for the purposes of permanent archive storage.

ANNEX L

OPEN SKIES CONSULTATIVE COMMISSION

SECTION I. GENERAL PROVISIONS

Procedures and other provisions relating to the Open Skies Consultative Commission are established in this Annex pursuant to Article X of the Treaty.

1. The Open Skies Consultative Commission shall be composed of representatives designated by each State Party. Alternates, advisers and experts of a State Party may take part in the proceedings of the Open Skies Consultative Commission as deemed necessary by that State Party.

2. The initial session of the Open Skies Consultative Commission shall open within 60 days of the signature of the Treaty. The Chairman of the opening meeting shall be the representative of Canada.

3. The Open Skies Consultative Commission shall meet for no fewer than four regular sessions per calendar year unless it decides otherwise. Extraordinary sessions shall be convened at the request of one or more States Parties by the Chairman of the Open Skies Consultative Commission, who shall promptly inform all other States Parties of the request. Such sessions shall open no later than 15 days after receipt of such a request by the Chairman.

4. Sessions of the Open Skies Consultative Commission shall last no longer than four weeks, unless it decides otherwise.

5. States Parties shall assume in rotation, determined by alphabetical order in the French language, the chairmanship of the Open Skies Consultative Commission. Each Chairman shall serve from the opening of a session until the opening of the following session, unless otherwise agreed.

6. Representatives at meetings shall be seated in alphabetical order of the States Parties in the French language.

7. The working languages of the Open Skies Consultative Commission shall be English, French, German, Italian, Russian and Spanish.

8. The proceedings of the Open Skies Consultative Commission shall be confidential, unless otherwise agreed. The Open Skies Consultative Commission may agree to make its proceedings or decisions public.

9. During the period of provisional application, and prior to 30 June 1992, the Open Skies Consultative Commission shall settle the distribution of costs arising under the Treaty. It shall also settle as soon as possible the scale of distribution for the common expenses associated with the operation of the Open Skies Consultative Commission.

10. During the period of provisional application of the Treaty the Open Skies Consultative Commission shall develop a document relating to notifications and reports required by the Treaty. Such document shall list all such notifications and reports and shall include appropriate formats as necessary.

11. The Open Skies Consultative Commission shall work out or revise, as necessary, its rules of procedure and working methods.

SECTION II. ANNUAL REVIEW OF ACTIVE QUOTAS

Procedures for the annual review of active quotas as foreseen in Article III, Section I, paragraph 7 of the Treaty shall be as follows:

1. States Parties wishing to modify all or part of the past year's distribution with respect to their active quota shall notify all other States Parties and the Open Skies Consultative Commission, by 1 October of each year, of those States Parties over which they wish to conduct their observation flights during the next calendar year. Such proposed modifications shall be considered by the States Parties during this review, according to the rules set forth in the following paragraphs of this Section.

2. If the requests for observation flights over the territory of any given State Party do not exceed its passive quota, then the distribution shall be established as requested, and presented to the Open Skies Consultative Commission for approval.

3. If the requests for observation flights over the territory of any given State Party exceed its passive quota, then the distribution shall be established by general agreement among the interested States Parties, and presented to the Open Skies Consultative Commission for approval.

SECTION III. EXTRAORDINARY OBSERVATION FLIGHTS

1. The Open Skies Consultative Commission shall consider requests from the bodies of the Conference on Security and Co-operation in Europe authorized to deal with respect to conflict prevention and crisis management and from other relevant international organizations to facilitate the organization and conduct of extraordinary observation flights over the territory of a State Party with its consent.

2. The data resulting from such observation flights shall be made available to the bodies and organizations concerned.

3. Notwithstanding any other provision of the Treaty, States Parties may agree on a bilateral and voluntary basis to conduct observation flights over the territory of each other following the procedures regarding the conduct of observation flights. Unless otherwise agreed by the States Parties concerned, the data resulting from such observation flights shall be made available to the Open Skies Consultative Commission.

4. Observation flights conducted under the provisions of this Section shall not be counted against the active or passive quotas of the States Parties involved.

SECTION IV. ADDITIONAL FIELDS FOR THE USE OF THE OPEN SKIES REGIME

1. States Parties may raise for consideration in the Open Skies Consultative Commission proposals for the use of the Open Skies regime in additional specific fields, such as the environment.

2. The Open Skies Consultative Commission may take decisions on such proposals or, if necessary, may refer them to the first and subsequent conferences called to review the implementation of the Treaty, in accordance with the provisions of Article XVI, paragraph 3 of the Treaty.