

Vorkuta	N 67-29-00 E 063-59-00	nej
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Kalibreringsmål		
Part: Benelux		
Ankomst- avgångsplat- ser		
Zaventem/ Melsbroek	N 50-54-01 W 004-59-09	ja
OS-flygfält		
Zaventem/ Melsbroek	N 50-54-01 W 004-59-09	ja
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Kalibreringsmål		
Volkel	N 54-39-03 W 005-42-02	
Part: Bulgarien		
Ankomst- avgångsplat- ser		
Sofia	N 42-41-07 E 023-24-05	ja
OS-flygfält		
Sofia	N 42-41-07 E 023-24-05	ja
Burgas	N 42-34-00 E 027-30-00	nej
Fixpunkt för ankomst och avgång	tillkommer	

Flygfält för tankning		
Sofia	N 42-41-07 E 023-24-05	
Burgas	N 42-34-00 E 027-30-00	
Kalibreringsmål		
Part: Kanada		
Ankomst- avgångsplatser		
Ottawa (CYOW)	N 45-19-21 W 075-40-10	ja
OS-flygfält		
Ottawa (CYOW)	N 45-19-21 W 075-40-10	ja
Iqaluit	N 63-45-22 W 068-33-25	nej
Yellowknife	N 62-27-45 W 114-26-20	nej
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
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	
Kalibreringsmål		
Ottawa området	tillkommer	
Part: Danmark		
Ankomst- avgångsplatser		

Köpenhamns internationella (EKCH)	N 55-37-07 E 012-39-26	nej
Værløse militära flygfält (EKVL)	N 55-46-09 E 012-19-34	ja
OS-flygfält		
Værløse militära flygfält (EKVL)	N 55-46-09 E 012-19-34	ja
Fixpunkt för ankomst och avgång	tillkomer	
Flygfält för tankning		
Vagars flygplats (EKGV)	N 62-03-51 W007-16-26	
Søndre Strømfjords internationella (BGSF)	N 67-01-05 W 050-41-39	
Kalibreringsmål		
Værløse militära flygfält	N 55-46-09 E 012-19-34	
Part: Spanien		
Ankomst- avgångsplatser		
Getafe	N 40-17-43 W 003-43-21	ja
Ankomst- avgångsplatser för Kanarieöarna		
Gando	N 27-55-49 W 015-23-05	ja
OS-flygfält		
Getafe	N 40-17-43 W 003-43-21	ja
Valencia	N 39-29-26 W 000-28-50	nej
Valladolid	N 41-42-26 W 004-51-02	nej

Moron	N 37-10-34 W 005-36-53	nej
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning	inga	
Kalibreringsmål		
Part: Frankrike		
Ankomst-avgångsplatser		
Orléans-Bricey	N 47-59-12 E 001-45-43	ja
OS-flygfält		
Orléans-Bricey	N 47-59-12 E 001-45-43	ja
Toulouse-Blagnac	N 43-37-26 E 001-22-53	nej
Nice- Côte d'Azur	N 43-39-47 E 007-12-09	nej
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning	inga	
Kalibreringsmål		
Part: Storbritannien och Nordirland		
Ankomst- avgångsplatser		
Brize Norton	N 51-44-97 W 001-34-93	ja
Heathrow	N 51-28-72 W 000-27-47	nej
Anm. Heathrow är endast ankomstplats för personal som anländer med reguljärt flyg, inte för observations- och transportflygplan.		

OS-flygfält		
Brize Norton	N 51-44-97 W 001-34-93	ja
Scampton	N 53-18-45 W 000-32-95	ja
Leuchars	N 55-22-38 W 000-52-03	ja
Fixpunkt för ankomst och avgång	skall bestämmas av FAA	
Flygfält för tankning	inga	
Kalibreringsmål		
Boscombe Down	N 51-09-10 W 001-44-76	
Part: Grekland		
Ankomst- avgångsplatser		
Thessaloniki Internationella	N 40-27-22 E 022-59-21	ja
OS-flygfält		
Thessaloniki Internationella	N 40-27-22 E 022-59-21	ja
Elefsis	N 38-04-00 E 023-33-38	ja
Fixpunkt för ankomst och avgång		
Chouchouligovo	N 41-24-40 E 023-22-02	
Flygfält för tankning		
Kalibreringsmål		
Part: Ungern		
Ankomst- avgångsplatser		
Budapest/Ferihegy (LHBP)	N 47-26-18 E 019-15-48	ja
Tokol (LHTL)	N 47-21-14 E 018-58-08	ja

OS-flygfält		
Budapest/Ferihegy (LHBP)	N 47-26-18 E 019-15-48	ja
Tokol (LHTL)	N 47-21-14 E 018-58-08	ja
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning	inga	
Kalibreringsmål	tillkommer	
Part: Island		
Ankomst- avgångsplatser		
Keflavik	N 63-59-48 W 022-36-30	ja
OS-flygfält		
	N 63-59-07 W 022-36-20	
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Kalibreringsmål		
Part: Italien		
Ankomst- avgångsplatser		
Milano-Malpensa	N 45-38-00 E 008-44-00	ja
Palermo-Punta Raisi	N 38-10-40 E 013-05-20	ja
OS-flygfält		
Milano-Malpensa	N 45-38-00 E 008-44-00	ja
Palermo-Punta Raisi	N 38-10-40 E 013-05-20	ja
Fixpunkt för ankomst och avgång	tillkommer	

Flygfält för tankning	ovannämnda OS-flygfält	
Kalibreringsmål		
Part: Norge		
Ankomst- avgångsplatser		
Oslo-Gardermoen (ENGM)	N 60-12-10 E 011-05-08	ja
OS-flygfält		
Oslo-Gardermoen (ENGM)	N 60-12-10 E 011-05-08	ja
Tromsø-Langnes (ENTC)	N 69-40-53 E018-55-10	nej
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Trondheim-Vaernes (ENVA)	N 63-27-29 E 010-55-33	
Kalibreringsmål		
Part: Polen		
Ankomst- avgångsplat- ser		
Warszawa-Okecie	N 52-13-10 E 021-01-10	ja
OS-flygfält		
Warszawa-Okecie	N 52-13-10 E 021-01-10	ja
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Kalibreringsmål		

Part: Portugal		
Ankomst- avgångsplatser		
Lissabon Internationella	N 38-46-22 W 009-07-58	ja
OS-flygfält		
S:ta Maria	N 36-58-22 W 025-10-17	nej
Porto Santo	N 33-04-01 W 016-20-44	nej
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Lissabon Internationella	N 38-46-22 W 009-07-58	
Sta Maria	N 36-58-22 W 025-10-17	
Porto Santo	N 33-04-01 W 016-20-44	
Kalibreringsmål		
Lissabon Internationella	tillkommer	
Part: Rumänien		
Ankomst- avgångsplatser		
Bukarest-Otopeni internationella	N 44-34-30 E 026-05-10	ja
Timisoara Flygplats	N 45-48-37 E 021-20-22	ja
OS-flygfält		
Bukarest-Otopeni internationella	N 44-34-30 E 026-05-10	ja
Timisoara flygplats	N 45-48-37 E 021-20-22	ja
Bacau flygplats	N 46-31-19 E 026-54-41	nej

Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Bukarest-Otopeni internationella	N 44-34-30 E 026-05-10	
Timisoara flygplats	N 45-48-37 E 021-20-22	
Kalibreringsmål		
Urlati	N 45-55-45 E 026-05-11	
Dunavat Nord Murighiol	N 45-02-10 E 029-13-20	
Part: Tjeckiska och slovakiska republiker-na		
Ankomst- avgångsplatser		
Prag internationella	N 50-06-10 E 014-15-40	ja
OS-flygfält		
Prag internationella	N 50-06-10 E 014-15-40	ja
Bratislava internationella	N 49-10-10 E 017-12-50	nej
Kosice internationella	N 48-40-10 E 021-14-40	nej
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Bratislava internationella	N 49-10-10 E 017-12-50	
Kosice internationella	N 48-40-10 E 021-14-40	
Kalibreringsmål		
Prag internationella	tillkommer	

Part: Turkiet		
Ankomst- avgångsplatser		
Eskisehir	N 39-47-00 E 030-35-00	ja
Diyarbakir	N 30-50-00 E 040-05-00	ja
OS-flygfält		
Eskisehir	N 39-47-00 E 030-35-00	ja
Diyarbakir	N 30-50-00 E 040-05-00	ja
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning	tillkommer	
Kalibreringsmål		
Eskisehir	tillkommer	
Diyarbakir	tillkommer	
Part: Ukraina		
Ankomst- avgångsplatser		
Borispol/ Kiev	N 50-20-07 E 030-53-07	ja
OS-flygfält		
Borispol/ Kiev	N 50-20-07 E 030-53-07	ja
Fixpunkt för ankomst och avgång	tillkommer	
Flygfält för tankning		
Lvov	N 49-48-07 E 023-57-03	
Odessa	N 46-25-06 E 030-40-07	
Kalibreringsmål		

Bilaga F Inspektion före flygning och demonstrationsflygningar

Del I Inspektion före flygning av den observerande partens observationsflygplan och sensorer

1. Syftet med inspektionen före flygning av observationsflygplan och sensorer som tillhandahållits av den observerande parten är att bekräfta att observationsflygplanet och dess sensorer med tillbehör överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D. Den observerade parten skall ha rätt att genomföra en inspektion före flygning av ett observationsflygplan och dess sensorer som tillhandahållits av den observerande parten för att bekräfta

a) att observationsflygplanet och dess sensorer med tillbehör, i förekommande fall innefattande objektiv och fotografisk film, överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D och

b) att det inte finns någon utrustning ombord på observationsflygplanet som inte är tillåten enligt artikel IV.

2. När observationsflygplanet anländer till ankomstplatsen skall den observerade parten

a) tillhandahålla en förteckning över inspektörer - vilka inte för överskottiga tio personer, såvida inte annat avtalats - med angivande av varje inspektörs allmänna funktion,

b) tillhandahålla en förteckning över utrustning som den avser använda vid inspektionen i enlighet med bestämmelserna i bilaga D del II.5 och

c) informera den observerande parten om sin plan för inspektion av observationsflygplanet och dess sensorer.

3. Före inspektionens början skall en utsedd person från den observerande parten

a) informera den observerade parten om de förfaranden för inventering som skall följas för att bekräfta att all utrustning för inspektionen samt all icke-förstörande testningsutrustning som avses i punkt 7 nedan och som tagits ombord på observationsflygplanet av inspektörerna har avlägsnats från detta före inspektionens avslutande,

b) tillsammans med inspektörerna genomföra inspektion och förteckning av varje del av den utrustning som skall användas vid inspektionen samt

c) informera inspektörerna om alla säkerhetsföreskrifter de skall följa vid inspektionen av observationsflygplanet och dess sensorer.

4. Inspektionen skall inte börja förrän de ankomstformaliteter avslutats och skall inte vara längre än åtta timmar.

5. Den observerande parten skall ha rätt att ta med sin egen eskort för att åtfölja inspektörerna under hela inspektionen av observationsflygplanet och dess sensorer för att bekräfta att inspektionen genomförs i enlighet med bestämmelserna i denna del. Den observerande parten skall underlätta inspektionen i enlighet med bestämmelserna i bilaga D del II.7 - 8.

6. Vi inspektionen skall inspektörerna ha rätt att få tillgång till observationsflygplanet och dess sensorer med tillbehör så som anges i bilaga D del II.11 - 12.

7. För de syften som inspektionen gäller skall den observerade parten ha rätt att ta ombord och använda följande icke-förstörande testningsutrustning

- a) videosond (kontrollskärm på videokamera),
- b) utrustning för numrering av direktavlästa röntgenbilder eller förstörade röntgenbilder,
- c) utrustning för numrering av ultraljudsbilder,
- d) logisk analysator / dataanalysator,
- e) passiva IR-sensorer samt
- f) 35 millimeters-kamera.

Dessutom skall den observerade parten ha rätt att ta ombord och använda sådan annan icke-förstörande testningsutrustning som kan behövas för att säkerställa att ingen annan utrustning finns ombord på observationsflygplanet än den som tillåts enligt artikel IV, vilket kan bestämmas av rådgivande kommittén före den 30 juni 1992.

8. Sedan inspektionen före flygning genomförts skall inspektörerna lämna observationsflygplanet och den observerande parten skall ha rätt att använda sina egna förfaranden för inventering för att bekräfta att all inspektionsutrustning som använts vid inspektionen har avlägsnats från observationsflygplanet. Om den observerade parten inte på ett tillfredsställande sätt kan visa detta för den observerande parten, skall den observerande parten ha rätt att fortsätta med observationsflygningen eller att inte genomföra den och, när den observerande parten är tillfredsställd med att det är säkert att göra detta, avresa från den observerade partens territorium. I det sistnämnda fallet skall ingen observationsflygning avräknas mot någondera partens kvot.

9. Inspektörerna skall omedelbart meddela den observerande parten om de finner att observationsflygplanet eller dess sensorer med tillbehör inte överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D eller om det finns annan utrustning ombord på observationsflygplanet än sådan som tillåts i artikel IV. Om den observerande parten inte kan visa att observationsflygplanet med sensorer och tillbehör överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D och att det inte finns någon annan utrustning ombord på observationsflygplanet än sådan som tillåts enligt artikel IV samt om den observerande och den observerade parten inte avtalar annat, skall den observerade parten ha rätt att förbjuda observationsflygningen enligt bestämmelserna i artikel VIII. Om observationsflygningen förbjuds, skall observationsflygplanet utan dröjsmål avresa från den observerade partens territorium och ingen observationsflygning skall avräknas mot någondera partens kvot.

10. När inspektionen av observationsflygplanet och dess sensorer genomförts, skall den observerade och den observerande parten avge rapport om inspektionen, vari skall uppges att

- a) observationsflygplanet och dess sensorer med tillbehör överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D och
- b) att ingen annan utrustning finns ombord på observationsflygplanet än sådan som är tillåten enligt artikel IV.

11. Den observerade partens underskrift av inspektionsrapporten skall innebära dess medgivande för den observerande parten att använda ifrå-

gavarande observationsflygplan för att genomföra en observationsflygning över den observerade partens territorium.

Del II Inspektion före flygning av den observerade partens sensorer

1. Syftet med inspektionen före flygning av sensorerna på ett observationsflygplan som tillhandahålls av den observerade parten är att bekräfta att sensorerna med tillbehör överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D. Den observerande parten skall ha rätt att genomföra en inspektion före flygning av sensorer med tillbehör som är monterade på ett observationsflygplan som tillhandahållits av den observerade parten för att bekräfta att sensorerna med tillbehör överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D.

2. När den observerande partens inspektörer anländer till platsen för inspektionen skall den observerande parten

a) tillhandahålla en förteckning över inspektörer - vilka inte för överskatta fem personer, såvida inte annat avtalats - med angivande av varje inspektörs allmänna funktion,

b) tillhandahålla en förteckning över utrustning som inspektörerna avser använda vid inspektionen och

c) informera den observerade parten om sin plan för inspektion av sensorerna med tillbehör ombord på observationsflygplanet.

3. Före inspektionens början skall en utsedd person från den observerade parten

a) informera den observerande parten om de förfaranden för inventering som skall följas för att bekräfta att all utrustning för inspektionen har avlägsnats från observationsflygplanet före inspektionens avslutande,

b) tillsammans med inspektörerna genomföra inspektion och förteckning av varje del av den utrustning som skall användas vid inspektionen samt

c) informera inspektörerna om alla säkerhetsföreskrifter de skall följa vid inspektionen av sensorerna med tillbehör som är monterade ombord på observationsflygplanet.

4. Inspektionen skall inte börja förrän de ankomstformaliteter avslutats och skall inte vara längre än åtta timmar.

5. Den observerade parten skall ha rätt att ta med sin egen eskort för att åtfölja inspektörerna under hela inspektionen av sensorerna med tillbehör ombord på observationsflygplanet för att bekräfta att inspektionen genomförs i enlighet med bestämmelserna i denna del. Den observerade parten skall underlätta inspektionen av sensorerna med tillbehör i enlighet med bestämmelserna i bilaga D del II.7.

6. Vid inspektionen skall inspektörerna ha rätt att få tillgång till sensorerna med tillbehör ombord på observationsflygplanet så som anges i bilaga D del II.11 - 12.

7. Sedan inspektionen genomförts skall inspektörerna lämna observationsflygplanet och den observerade parten skall ha rätt att använda sina egna förfaranden för inventering för att bekräfta att all inspektionsutrustning som använts vid inspektionen har avlägsnats från observationsflygplanet. Om den observerande parten inte på ett tillfredsställande sätt kan visa detta för den observerade parten, skall den observerade parten ha rätt

att förbjuda observationsflygningen i enlighet med artikel VIII och ingen observationsflygning avräknas mot någondera partens kvot.

8. Inspektörerna skall omedelbart meddela den observerade parten om de finner att någon av sensorerna eller dess tillbehör ombord på observationsflygplanet inte överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D. Om den observerade parten inte kan visa att sensorerna eller deras tillbehör ombord på observationsflygplanet överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D, skall den observerande parten ha rätt att

a) tillåta att en alternativ uppsättning av sensorer används av sådana typer eller sådan kapacitet som föreslås av den observerade parten,

b) att operationerna fullföljs enligt den ursprungliga företagsplanen,

c) gå med på att observationsflygningens start uppskjuts för att tillåta den observerade parten att rätta till de problem som den observerande parten har ansett föreligga enligt denna punkt. Om problemet löses på ett för den observerande parten tillfredsställande sätt, skall flygningen genomföras i enlighet med företagsplanen, dock vederbörligen justerad med hänsyn till eventuell försening. Om problemet inte rättas till på ett för den observerande parten godtagbart sätt, skall den observerande parten avresa från den observerade partens territorium eller

d) inställa observationsflygningen och omedelbart lämna den observerade partens territorium.

9. Om den observerande parten lämnar den observerade partens territorium utan att ha genomfört en observationsflygning enligt punkt 8 c och 8 d ovan, skall ingen observationsflygning avräknas från någondera partens kvot.

10. När inspektionen av sensorerna med tillbehör som är monterade på observationsflygplanet genomförts, skall den observerade och den observerande parten avge rapport om inspektionen vari skall uppges att sensorerna överensstämmer med de som certifierats i enlighet med bestämmelserna i bilaga D. Den observerande partens underskrift av rapporten skall innebära dess medgivande att genomföra observationsflygning över den observerade partens territorium.

Del III Demonstrationsflygningar

1. Om flygplanet på begäran av den observerande parten tillhandahålls av den observerade parten, skall den observerande parten genomföra en demonstrationsflygning efter inspektionen före flygning för att tillåta inspektörerna att observera hur de sensorer fungerar som skall användas under observationsflygningen och för att uppta tillräcklig mängd data för att inspektörerna skall kunna bekräfta att sensorernas kapacitet stämmer överens med bestämmelserna i artikel IV.8.

2. Om flygplanet på begäran av den observerade parten tillhandahålls av den observerande parten, skall den observerade parten genomföra en demonstrationsflygning efter inspektionen före flygning för att tillåta inspektörerna att observera hur de sensorer fungerar som skall användas under observationsflygningen och för att uppta tillräcklig mängd data för att inspektörerna skall kunna bekräfta att sensorernas kapacitet stämmer överens med bestämmelserna i artikel IV.9

3. Om den observerade parten eller den observerande parten utövar sin rätt att begära en demonstrationsflygning skall

a) demonstrationsflygningen utföras i enlighet med bestämmelserna i bilaga D del III,

b) demonstrationsflygningen inte vara längre än två timmar,

c) den observerade parten tillhandahålla kalibreringsmål i enlighet med tillägg 1 till bilaga D i närheten av det flygfält vid vilket inspektionen skall genomföras,

d) alla förseningar i samband med att tillmötesgå en begäran om observationsflygning orsakade av väderförhållanden eller problem med den observerade partens flygplan eller sensorer inte avräknas från den tilldelade tiden för sådana flygningar, om inte annat avtalats,

e) den observerade parten behandla data som upptagits med sensorerna vid en anläggning i närheten av det flygfält vid vilket inspektionen skall genomföras i närvaro av personal från den observerande parten i enlighet med bestämmelserna i artikel IX del II och III samt

f) kostnaderna för demonstrationsflygningen, inklusive för att tillhandahålla media för inspelning av data samt databehandling, fördelas i enlighet med bilaga L del I.9.

4. Om den observerade parten utövar sin rätt att begära en demonstrationsflygning, skall den observerande parten ha rätt att lägga till en tidsperiod på högst 24 timmar till de 96 timmar som är tillåtna för att genomföra en observationsflygning enligt artikel VI del I.9. Detta skall inte inverka på andra parter rätt att genomföra observationsflygningar efter den ursprungliga tidsperioden om 96 timmar enligt artikel VI del I.3.

5. Om den observerande parten utövar sin rätt att begära en demonstrationsflygning, skall denna utföras inom den tidsrymd av 96 timmar som tillåts för att genomföra en observationsflygning enligt artikel VI del I.9.

6. Om den observerade parten finner att någon av de sensorer som är monterade på observationsflygplanet som tillhandahållits av den observerande parten inte uppfyller bestämmelserna i artikel IV.8, skall den ha rätt att,

a) i fråga om en sensor för vilken markupplösningen beror på höjden över marken, föreslå en alternativ lägsta höjd över marken vid vilken sensorn i fråga skall tillåtas att användas under observationsflygningen,

b) i fråga om sensorer för vilka markupplösningen inte beror på höjden över marken, förbjuda användning av sensorn i fråga under observationsflygningen eller

c) förbjuda observationsflygningen enligt bestämmelserna i artikel VIII.

7. Om den observerande parten finner att någon av de sensorer som är monterade på ett observationsflygplan som tillhandahållits av den observerade parten inte överensstämmer med bestämmelserna i artikel IV.9, skall den ha rätt att

a) tillåta att en alternativ uppsättning av sensorer används av sådana typer eller sådan kapacitet som föreslås av den observerade parten,

b) i fråga om en sensor för vilken markupplösningen beror på höjden över marken, föreslå en alternativ lägsta höjd över marken vid vilken sensorn i fråga skall tillåtas att användas under observationsflygningen,

c) i fråga om sensorer för vilka markupplösningen inte beror på höjden över marken, genomföra observationsflygningen som planerat varvid

kostnaderna för media för upptagning av data för sensorn i fråga skall betalas av den observerade parten,

d) gå med på att observationsflygningens start uppskjuts för att tillåta den observerade parten att rätta till de problem som den observerande parten har ansett föreligga enligt denna punkt; om problemet löses på ett för den observerande parten tillfredsställande sätt, skall flygningen genomföras i enlighet med företagsplanen, dock vederbörligen justerad med hänsyn till eventuell försening; om problemet inte rättas till på ett för den observerande parten godtagbart sätt, skall den observerande parten avresa från den observerade partens territorium,

e) inställa observationsflygningen enligt artikel VIII och omedelbart lämna den observerade partens territorium.

8. Om observationsflygningen förbjuds eller inställs av den part som begär demonstrationsflygningen, skall ingen observationsflygning avräknas från någondera partens kvot, och den part som begär demonstrationsflygningen skall anmäla ärendet till rådgivande kommittén.

Bilaga G Flygövervakare, flygrepresentanter och representanter

Del I Flygövervakare och flygrepresentanter

1. Bestämmelserna i denna bilaga skall gälla personal utsedd i enlighet med artikel XIII. Varje part skall ha rätt att vid ett givet tillfälle ha det antal flygövervakare och flygrepresentanter ombord på observationsflygplanet som anges i artikel VI del III. Bestämmelserna i den delen skall gälla för deras verksamhet avseende observationsflygningarnas uppläggning och genomförande. Varje part skall underlätta flygövervakarnas och flygrepresentanternas verksamhet enligt denna bilaga.

2. Den observerade parten skall utse en av flygövervakarna till chef för flygövervakarna. Chefen för flygövervakarna skall vara medborgare i den observerade parten. Den observerande parten skall utse en av flygrepresentanterna till chef för flygrepresentanterna. Denne skall vara medborgare i den observerande parten.

3. Vid förberedelserna av observationsflygningen skall flygövervakarna och flygrepresentanterna ha rätt

a) att bekanta sig med den tekniska litteratur som berör sensorernas funktion och handhavande samt observationsflygplanets förarinstruktion och

b) att bekanta sig med observationsflygplanets utrustning som hänför sig till kontrollen av flygplanet och de på observationsflygplanet monterade sensorernas funktion och handhavande.

4. Flygövervakarna och flygrepresentanterna skall ha rätt

a) att kvarstanna ombord på observationsflygplanet under hela observationsflygningen, inklusive vid eventuella avbrott för tankning eller vid nödsituationer,

b) att ombord på observationsflygplanet medföra och använda kartor, flygkort, publikationer och driftshandböcker,

c) att under observationsflygningen obehindrat röra sig ombord på observationsflygplanet inklusive dess förarkabin, med beaktande av flygsäkerheten; vid utövandet av sina rättigheter får flygövervakarna eller flygrepresentanterna inte störa flygplansbesättningen i dess verksamhet,

d) att kontrollera att färdplanen följs och att övervaka observationsflygplanets flygordning och sensorernas funktion och handhavande,

e) att avlyssna den interna och externa radiokommunikation ombord på flygplanet och sköta den interna radiokommunikationen samt

f) att registrera flygordningens parametrar och sensorernas funktion och handhavande på kartor, kort och anteckningsblock.

5. Utöver de rättigheter som anges i punkt 4 i denna del, skall chefen för flygövervakarna ha rätt

a) att rådfråga flygplansbesättningen om iakttagande av nationella flygregler och bestämmelserna i fördraget,

b) att observera flygplansbesättningens verksamhet, inklusive verksamheten i förarkabinen under observationsflygningen och övervaka funktionen och handhavandet av observationsflygplanets flyg- och navigationsinstrument,

c) att ge rekommendationer till flygplansbesättningen om följandet av färdplanen,

d) att utan att störa deras verksamhet rådfråga flygplansbesättningen om information om flygordningen samt

e) att i tillämpliga fall kommunicera med flygtrafikledningen och hjälpa till att vidarebefordra och tolka kommunikation mellan flygtrafikledningen och flygplansbesättningen i båda riktningarna om observationsflygningens genomförande. För detta ändamål skall chefen för flygövervakarna ha rätt att sända extern radiokommunikation med observationsflygplanets radioutrustning.

6. Om chefen för flygövervakarna anser att observationsflygplanet avviker från färdplanen, skall han eller hon underrätta flygplansbesättningen och får meddela flygtrafikledningen alla avvikelser som observationsflygplanet gör från färdplanen, vilka han eller hon tror kan hota flygsäkerheten.

7. Utöver de rättigheter som anges i punkt 5 ovan skall chefen för flygövervakarna ha

a) de rättigheter som anges i punkt 5 a, b och d ovan med avseende på flygplansbesättningen och

b) rätt att, vid avvikelser från färdplanen, få en förklaring av flygplansbesättningen om anledningen till dem.

8. Flygrepresentanterna skall ha rätt att leda handhavandet av sensorerna under observationsflygningen. Därutöver skall flygrepresentanterna, efter att före observationsflygningens början ha meddelat den observerade parten, ha rätt att sköta sensorerna under observationsflygningen. Om flygrepresentanterna utnyttjar sin rätt att sköta sensorerna med stöd av denna punkt, skall den observerade parten inte vara ansvarig för fel eller otillräcklig kvalitet på data som upptagits med sensorerna beroende på att de har sköts av flygrepresentanterna.

Del II Representanter

1. En observerande part som använder ett observationsflygplan utsett av en tredje part skall ha rätt att när som helst ha det antal representanter ombord på planet som anges i artikel VI del III.

2. Den observerande parten skall utse en av sina representanter till chef för representanterna. Denne skall samma rättigheter som chefen för flyg-representanterna enligt del I i denna bilaga. Därutöver skall chefen

a) vara rådgivare till förstepiloten avseende iakttagandet av fördragets bestämmelser,

b) ha rätt att övervaka hur den observerade parten följer fördragets bestämmelser samt

c) ha rätt att, vid avvikelse från färdplanen, få en förklaring från förstepiloten om anledningarna till den.

3. Representanterna skall ha samma rättigheter som flygrepresentanterna enligt del I i denna bilaga.

Bilaga H Samordning av planerade observationsflygningar

1. För att förhindra eventuell samtidighet i fråga om observationsflygningar som skall genomföras över en viss part, får varje part som har rätt att genomföra observationsflygningar enligt den årliga tilldelningen av aktiva kvoter senast den 1 november varje år meddela de andra parterna om sin avsikt att använda hela eller del av sin aktiva kvot under påföljande år. I meddelandet skall anges antalet observationsflygningar som den meddelande parten avser genomföra över andra parters territorium varje kvartal av året i fråga.

2. I inget fall får det totala antalet planerade och i enlighet med punkt 1 i denna bilaga meddelade observationsflygningar över någon annan parts territorium under ett givet kvartal överstiga 16. Utom vad som avses i artikel VI del I.3 skall ingen part vara tvungen att godta mer än en observationsflygning vid någon tid under den period som avses i artikel VI del I.9.

3. Parter som i enlighet med punkt 1 i denna bilaga har meddelat sin avsikt att använda en eller flera av sina aktiva kvoter för observationsflygningar över samma parts territorium under ett eller flera kvartal skall, om så är nödvändigt, samråda för att undvika eventuella konflikter rörande sina planerade observationsflygningar. Om det inte går att genom samråd mellan de berörda parterna nå en uppgörelse som undviker konflikt, skall frågan lösas genom lottdragning mellan parterna. Det första samrådet om observationsflygningar under det kvartal som börjar den 1 januari påföljande år skall inledas omedelbart efter mottagandet av ett sådant meddelande som avses i punkt 1 i denna bilaga. Följande samråd mellan de berörda parterna skall hållas mellan den 1 och 15 februari för det kvartal som börjar den 1 april, mellan den 1 och 15 maj för det kvartal som börjar den 1 juli samt mellan den 1 och 15 augusti för det kvartal som börjar den 1 oktober. De berörda parterna skall meddela de övriga parterna om resultatet av den turordning för observationsflygningarna som fastställs vid dessa samråd senast den 15 november, den 15 februari, den 15 maj och den 15 augusti.

4. Senast sju dagar efter meddelandet om den turordningen av observationsflygningar som upprättats i enlighet med punkt 3 i denna bilaga, skall varje part underrätta alla de parter som avser genomföra observationsflygningar över dess territorium under det aktuella kvartalet om varje flygning för vilken den avser utnyttja sin rätt att tillhandahålla eget observationsflygplan.

5. Varje part som inte har lämnat meddelande enligt punkt 1 i denna bilaga, som inte har meddelat sina planer på att använda hela eller delar av sina aktiva kvoter eller inte har genomfört en observationsflygning under det kvartal för vilket den har meddelat sin avsikt att göra en sådan flygning, skall ha rätt att utnyttja återstående kvoter, förutsatt att sådana observationsflygningar har medtagits i den uppgörelse som uppnåtts enligt punkt 3 ovan.

Bilaga I Uppgifter om luftrum och flygning i farligt luftrum

1. Tidigast 90 dagar efter detta fördrags ikraftträdande och på begäran av en annan part, skall en part senast 30 dagar efter att ha mottagit en sådan begäran, lämna följande uppgifter i enlighet med ICAO-bestämmelserna:

a) luftrumets struktur såsom den anges i underrättelser för lufttrafiken i Aeronautical Information Publication (AIP),

b) detaljerade uppgifter om allt farligt luftrum samt

c) flygfältsinformation och ankomst- och avgångsrutiner för varje

1) ankomst- och avgångsplats,

2) OS-flygfält samt

3) alternativa flygfält och flygfält för tankning för partens ankomst- och avgångsplatser samt OS-flygfält.

2. Varje part skall omedelbart meddela de parter som har begärt uppgifter i enlighet med bestämmelserna i punkt 1 ovan om ändringar av uppgifter som lämnats i enlighet med punkt 1 ovan. Oaktat bestämmelserna i denna punkt behöver NOTAM (Notices to Airmen) inte tillhandahållas.

3. Senast 90 dagar efter fördragets ikraftträdande skall varje part meddela de övriga parterna om källan till sådana uppgifter som skall lämnas enligt punkt 1 ovan.

Bilaga J Montreuxkonventionen

1. Observationsflygningar genomförda enligt detta fördrags bestämmelser som omfattar observation av en parts hela territorium skall inte inverka på Montreuxkonventionen av den 20 juli 1936.

2. För val av flygväg och meddelanden om överflygning av luftfartyg som avses i detta fördrag, vilka faller under artikel 23 i Montreuxkonventionen, skall gälla bestämmelserna i sagda artikel.

Bilaga K Information om filmframkallare, duplikatorer och fotografisk film samt rutiner för kontroll av filmframkallning

Del I Information om filmframkallare, duplikatorer och fotografisk film

1. I enlighet med bilaga D del II.3 a 3) skall varje part, när den meddelar andra parter om filmframkallare eller duplikatorer den avser använda för att framkalla negativ originalfilm eller för att framställa positiv eller negativ duplikatfilm, tillhandahålla följande produktinformation.

a) namnet på framkallaren eller duplikatören,

b) i tillämpliga fall största och minsta filmbredd och filmlängd som kan framkallas eller kopieras,

c) varje typ av film som kan framkallas eller kopieras i filmframkallaren samt

d) varje steg i processen, inklusive exponeringsomfång, temperatur, varaktighet, rekommenderad hastighet för frammating, kemikalier och kemiska blandningar för varje typ av film.

2. I enlighet med bilaga D del II.3 a 2) skall varje part, när den lämnar uppgifter om de typer av svartvit flygfilm som den avser använda för att uppta data vid en undersökning under flygning eller under en observationsflygning eller för att kopiera sådana data, lämna följande produktinformation för varje typ av flygfilm som kan framkallas eller kopieras med de filmframkallare eller duplikatorer som nämns i punkt 1 ovan, vilka erfordras för att bekräfta filmens egenskaper. Beroende på filmframkallarens nationella praxis kan informationen innehålla följande uppgifter:

a) filmens verkliga snabbhet,

b) upplösning/modulation,

c) spektral känslighet samt

d) optisk spegeldensitet eller sensitometriska karakteristika.

3. För att bestämma sensitometriska karakteristika för flygfilmsmaterial i enlighet med sina nationella metoder skall varje part ha rätt att på begäran få oframkallade prover av alla typer av fotografisk film som används som dataupptagningsmedier, kemikalierna för att framkalla dem samt att få anvisningar för framkallning och kopiering av sådan fotografisk film. Proverna och anvisningarna skall lämnas senast 30 dagar efter mottagandet av begäran härom.

Del II Övervakning av framkallning och kopiering av film

1. Parter som medverkar i certifiering av ett observationsflygplan och dess sensorer skall ha rätt att övervaka framkallning och kopiering av flygfilm vid undersökning under flygning. Personal från den observerade och den observerande parten skall ha rätt att övervaka framkallning och kopiering av flygfilm använd under en demonstrations- eller observationsflygning.

2. När en part övervakar framkallning och kopiering av flygfilm, skall den ha rätt att medföra och använda följande utrustning, vilket inte får störa framkallningen eller kopieringen av filmen:

a) lackmuspapper,

b) termometrar,

c) kemisk testutrustning inklusive pH-mätare och hydrometrar,

d) tidtagarur,

e) sensitometrar,

f) densitometrar samt

g) 21-stegs sensitometriska testremsor och optiska kilar.

3. Före framkallning av film exponerad vid undersökning under flygning, demonstrationsflygning eller observationsflygning skall parterna kontrollera filmframkallningsutrustningen och kemikalierna genom att framkalla en 21-stegs sensitimetrisk testremsa eller genom att exponera och framkalla en 21-stegs optisk kil för att bekräfta att sensitometriska

data för framkallning av den typen av film och att filmframkallningen i fråga stämmer överens med vad som uppgivits enligt del I ovan. Om inte annat avtalats, får negativ eller positiv från originalet eller den kopierade flygfilmen inte framkallas eller kopieras förrän framkallningen av en 21-stegs sensitometrisk testremsa eller exponeringen och framkallningen av en 21-stegs optisk kil motsvarar de karakteristika som anges i enlighet med del I ovan för ifrågakvarande typ av flygfilm respektive av framkallare och duplikator.

4. Före framkallning av film exponerad vid undersökning under flygning, demonstrationsflygning eller observationsflygning skall parterna ha rätt att kontrollera filmframkallningsutrustningen och kemikalierna genom att framkalla en testfilm av samma typ som den som använts vid undersökning under flygning, demonstrationsflygningen eller observationsflygningen för att bekräfta att sköljning och fixering lämpar sig för permanent arkivering.

Bilaga L Rådgivande kommittén

Del I Allmänna bestämmelser

Arbetsordning och andra bestämmelser för rådgivande kommittén anges i denna bilaga i enlighet med artikel X.

1. Rådgivande kommittén består företrädare utsedda av varje part. En parts ersättare, rådgivare och sakkunniga får delta i kommitténs arbete om parten bedömer det vara nödvändigt.

2. Kommitténs första möte skall öppnas inom 60 dagar från fördragets undertecknande. Kanadas företrädare skall vara ordförande vid det första mötet.

3. Kommittén skall hålla minst fyra möten per kalenderår, såvida den inte bestämmer annat. Extramöten skall på begäran av en eller flera parter sammankallas av kommitténs ordförande, som omedelbart skall meddela alla de andra parterna om en sådan begäran. Extramöten skall öppnas senast 15 dagar efter det att ordföranden har mottagit en begäran där- om.

4. Kommitténs möten skall inte pågå längre än fyra veckor, såvida den inte bestämmer annat.

5. Parterna skall i tur och ordning enligt fransk bokstavsordning vara ordförande i kommittén. Varje ordförande skall tjänstgöra från ett mötes början till påföljande mötes öppnande, om inte annat bestäms.

6. Företrädarna skall vid mötena vara placerade i fransk bokstavs- ordning för parterna.

7. Kommitténs arbetsspråk skall vara engelska, franska, italienska, ryska, spanska och tyska.

8. Kommitténs överläggningar skall vara konfidentiella, om inte annat överenskoms. Kommittén får komma överens om att ge allmänheten tillträde till sina sammanträden och tillgång till sina beslut.

9. När fördraget tillämpas provisoriskt och före den 30 juni 1992 skall kommittén bestämma fördelningen av fördragsanknutna kostnader. Den skall också snarast möjligt bestämma fördelningen av de gemensamma kostnaderna för sin verksamhet.

10. När fördraget tillämpas provisoriskt skall kommittén upprätta en handling vari bestäms formerna för meddelanden och rapporter som anges i fördraget. I denna handling skall dessa meddelanden och rapporter förtecknas och där skall också anges format för de formulär som behövs.

11. Kommittén skall utforma eller vid behov se över sin arbetsordning och sina arbetsformer.

Del II Årlig översyn av aktiva kvoter

Formerna för den årliga översynen av de aktiva kvoterna enligt artikel III del I.7 skall vara följande:

1. Parter som önskar ändra sin tilldelning av aktiva kvoter från föregående år, helt eller delvis, skall delge alla de övriga parterna och rådgivande kommittén senast den 1 oktober varje år en förteckning över de parter över vilka de vill utföra observationsflygningar under påföljande kalenderår. Sådana förslag till ändringar skall behandlas av parterna vid denna översyn enligt de regler som anges härnedan.

2. Om en begäran om observationsflygningar över en viss parts territorium inte överstiger dess passiva kvot, skall tilldelningen bestämmas som den begärts och framläggas för godkännande till rådgivande kommittén.

3. Om begäran om observationsflygningar över en viss parts territorium överstiger dess passiva kvot, skall tilldelningen bestämmas genom överenskommelse mellan de berörda parterna och framläggas för godkännande till rådgivande kommittén.

Del III Extra observationsflygningar

1. Rådgivande kommittén skall behandla framställningar från de organ inom konferensen för säkerhet och samarbete i Europa som är behöriga att handlägga frågor om konfliktförebyggande och krishantering och från andra behöriga internationella organisationer för att underlätta uppläggning och genomförande av extra observationsflygningar över en parts territorium med dess medgivande.

2. Data från sådana observationsflygningar skall tillhandahållas de berörda organen eller organisationerna.

3. Utan hinder av andra bestämmelser i detta fördrag får parterna på bilateral och frivillig grund genomföra observationsflygningar över varandras territorier om formerna för genomförande av observationsflygningar följs. Såvida de berörda parterna inte bestämmer annat, skall data från sådana observationsflygningar tillhandahållas rådgivande kommittén.

4. Observationsflygningar som genomförts enligt bestämmelserna i denna del skall inte avräknas mot de berörda parternas aktiva eller passiva kvoter.

Del IV Andra områden för tillämpning av Open Skies-systemet

1. Parterna får föreslå att rådgivande kommittén tar upp till behandling förslag om tillämpning av Open Skies-systemet på andra särskilda områden, exempelvis miljöområdet.

2. Rådgivande kommittén får besluta om sådana förslag eller kan, om så är nödvändigt, hänskjuta dem till den första eller de följande konferenser som sammankallas för att granska tillämpningen av detta fördrag i enlighet med bestämmelserna i artikel XIII.3.

TREATY ON OPEN SKIES

The States concluding this Treaty, hereinafter referred to collectively as the States Parties or individually as a State Party,

Recalling the commitments they have made in the Conference on Security and Co-operation in Europe to promoting greater openness and transparency in their military activities and to enhancing security by means of confidence- and security-building measures,

Welcoming the historic events in Europe which have transformed the security situation from Vancouver to Vladivostok,

Wishing to contribute to the further development and strengthening of peace, stability and co-operative security in that area by the creation of an Open Skies regime for aerial observation,

Recognizing the potential contribution which an aerial observation regime of this type could make to security and stability in other regions as well,

Noting the possibility of employing such a regime to improve openness and transparency, to facilitate the monitoring of compliance with existing or future arms control agreements and to strengthen the capacity for conflict prevention and crisis management in the framework of the Conference on Security and Co-operation in Europe and in other relevant international institutions,

Envisaging the possible extension of the Open Skies regime into additional fields, such as the protection of the environment,

Seeking to establish agreed procedures to provide for aerial observation of all the territories of States Parties, with the intent of observing a single State Party or groups of States Parties, on the basis of equity and effectiveness while maintaining flight safety,

Noting that the operation of such an Open Skies regime will be without prejudice to States not participating in it,

Have agreed as follows:

Article I

GENERAL PROVISIONS

1. This Treaty establishes the regime, to be known as the Open Skies regime, for the conduct of observation flights by States Parties over the territories of other States Parties, and sets forth the rights and obligations of the States Parties relating thereto.

2. Each of the Annexes and their related Appendices constitutes an integral part of this Treaty.

Article II

DEFINITIONS

For the purposes of this Treaty:

1. The term "observed Party" means the State Party or group of States Parties over whose territory an observation flight is conducted or is intended to be conducted, from the time it has received notification thereof from an observing Party until completion of the procedures relating to that flight, or personnel acting on behalf of that State Party or group of States Parties.

2. The term "observing Party" means the State Party or group of States Parties that intends to conduct or conducts an observation flight over the territory of another State Party or group of States Parties, from the time that it has provided notification of its intention to conduct an observation flight until completion of the procedures relating to that flight, or personnel acting on behalf of that State Party or group of States Parties.

3. The term "group of States Parties" means two or more States Parties that have agreed to form a group for the purposes of this Treaty.

4. The term "observation aircraft" means an unarmed, fixed wing aircraft designated to make observation flights, registered by the relevant authorities of a State Party and equipped with agreed sensors. The term "unarmed" means that the observation aircraft used for the purposes of this Treaty is not equipped to carry and employ weapons.

5. The term "observation flight" means the flight of the observation aircraft conducted by an observing Party over the territory of an observed Party, as provided in the flight plan, from the point of entry or Open Skies airfield to the point of exit or Open Skies airfield.

6. The term "transit flight" means a flight of an observation aircraft or transport aircraft conducted by or on behalf of an observing Party over the territory of a third State Party en route to or from the territory of the observed Party.

7. The term "transport aircraft" means an aircraft other than an observation aircraft that, on behalf of the observing Party, conducts flights to or from the territory of the observed Party exclusively for the purposes of this Treaty.

8. The term "territory" means the land, including islands, and internal and territorial waters, over which a State Party exercises sovereignty.

9. The term "passive quota" means the number of observation flights that each State Party is obliged to accept as an observed Party.

10. The term "active quota" means the number of observation flights that each State Party has the right to conduct as an observing Party.

11. The term "maximum flight distance" means the maximum distance over the territory of the observed Party from the point at which the observation flight may commence to the point at which that flight may terminate, as specified in Annex A to this Treaty.

12. The term "sensor" means equipment of a category specified in Article IV, paragraph 1 that is installed on an observation aircraft for use during the conduct of observation flights.

13. The term "ground resolution" means the minimum distance on the ground between two closely located objects distinguishable as separate objects.

14. The term "infra-red line-scanning device" means a sensor capable of receiving and visualizing thermal electro-magnetic radiation emitted in the invisible infra-red part of the optical spectrum by objects due to their temperature and in the absence of artificial illumination.

15. The term "observation period" means a specified period of time during an observation flight when a particular sensor installed on the observation aircraft is operating.

16. The term "flight crew" means individuals from any State Party who may include, if the State Party so decides, interpreters and who perform duties associated with the operation or servicing of an observation aircraft or transport aircraft.

17. The term "pilot-in-command" means the pilot on board the observation aircraft who is responsible for the operation of the observation aircraft, the execution of the flight plan, and the safety of the observation aircraft.

18. The term "flight monitor" means an individual who, on behalf of the observed Party, is on board an observation aircraft provided by the observing Party during the observation flight and who performs duties in accordance with Annex G to this Treaty.

19. The term "flight representative" means an individual who, on behalf of the observing Party, is on board an observation aircraft provided by the observed Party during an observation flight and who performs duties in accordance with Annex G to this Treaty.

20. The term "representative" means an individual who has been designated by the observing Party and who performs activities on behalf of the observing Party in accordance with Annex G during an observation flight on an observation aircraft designated by a State Party other than the observing Party or the observed Party.

21. The term "sensor operator" means an individual from any State Party who performs duties associated with the functioning, operation and maintenance of the sensors of an observation aircraft.

22. The term "inspector" means an individual from any State Party who conducts an inspection of sensors or observation aircraft of another State Party.

23. The term "escort" means an individual from any State Party who accompanies the inspectors of another State Party.

24. The term "mission plan" means a document, which is in a format established by the Open Skies Consultative Commission, presented by the observing Party that contains the route, profile, order of execution and support required to conduct the observation flight, which is to be agreed upon with the observed Party and which will form the basis for the elaboration of the flight plan.

25. The term "flight plan" means a document elaborated on the basis of the agreed mission plan in the format and with the content specified by the International Civil Aviation Organization, hereinafter referred to as the ICAO, which is presented to the air traffic control authorities and on the basis of which the observation flight will be conducted.

26. The term "mission report" means a document describing an observation flight completed after its termination by the observing Party and signed by both the observing and observed Parties, which is in a format established by the Open Skies Consultative Commission.

27. The term "Open Skies airfield" means an airfield designated by the observed Party as a point where an observation flight may commence or terminate.

28. The term "point of entry" means a point designated by the observed Party for the arrival of personnel of the observing Party on the territory of the observed Party.

29. The term "point of exit" means a point designated by the observed Party for the departure of personnel of the observing Party from the territory of the observed Party.

30. The term "refuelling airfield" means an airfield designated by the observed Party used for fuelling and servicing of observation aircraft and transport aircraft.

31. The term "alternate airfield" means an airfield specified in the flight plan to which an observation aircraft or transport aircraft may proceed when it becomes inadvisable to land at the airfield of intended landing.

32. The term "hazardous airspace" means the prohibited areas, restricted areas and danger areas, defined on the basis of Annex 2 to the Convention on International Civil Aviation, that are established in accordance with Annex 15 to the Convention on International Civil Aviation in the interests of flight safety, public safety and environmental protection and about which information is provided in accordance with ICAO provisions.

33. The term "prohibited area" means an airspace of defined dimensions, above the territory of a State Party, within which the flight of aircraft is prohibited.

34. The term "restricted area" means an airspace of defined dimensions, above the territory of a State Party, within which the flight of aircraft is restricted in accordance with specified conditions.

35. The term "danger area" means an airspace of defined dimensions within which activities dangerous to the flight of aircraft may exist at specified times.

Article III

QUOTAS

SECTION I. GENERAL PROVISIONS

1. Each State Party shall have the right to conduct observation flights in accordance with the provisions of this Treaty.

2. Each State Party shall be obliged to accept observation flights over its territory in accordance with the provisions of this Treaty.

3. Each State Party shall have the right to conduct a number of observation flights over the territory of any other State Party equal to the number of observation flights which that other State Party has the right to conduct over it.

4. The total number of observation flights that each State Party is obliged to accept over its territory is the total passive quota for that State Party. The allocation of the total passive quota to the States Parties is set forth in Annex A, Section I to this Treaty.

5. The number of observation flights that a State Party shall have the right to conduct each year over the territory of each of the other States Parties is the individual active quota of that State Party with respect to that other State Party. The sum of the individual active quotas is the total active quota of that State Party. The total active quota of a State Party shall not exceed its total passive quota.

6. The first distribution of active quotas is set forth in Annex A, Section II to this Treaty.

7. After entry into force of this Treaty, the distribution of active quotas shall be subject to an annual review for the following calendar year within the framework of the Open Skies Consultative Commission. In the event that it is not possible during the annual review to arrive within three weeks at agreement on the distribution of active quotas with respect to a particular State Party, the previous year's distribution of active quotas with respect to that State Party shall remain unchanged.

8. Except as provided for by the provisions of Article VIII, each observation flight conducted by a State Party shall be counted against the individual and total active quotas of that State Party.

9. Notwithstanding the provisions of paragraphs 3 and 5 of this Section, a State Party to which an active quota has been distributed may, by agreement with the State Party to be overflown, transfer a part or all of its total active quota to other States Parties and shall promptly notify all other States Parties and the Open Skies Consultative Commission thereof. Paragraph 10 of this Section shall apply.

10. No State Party shall conduct more observation flights over the territory of another State Party than a number equal to 50 per cent, rounded up to the nearest whole number, of its own total active quota, or of the total passive quota of that other State Party, whichever is less.

11. The maximum flight distances of observation flights over the territories of the States Parties are set forth in Annex A, Section III to this Treaty.

SECTION II. PROVISIONS FOR A GROUP OF STATES PARTIES

1. (A) Without prejudice to their rights and obligations under this Treaty, two or more States Parties which hold quotas may form a group of States Parties at signature of this Treaty and thereafter. For a group of States Parties formed after signature of this Treaty, the provisions of this Section shall apply no earlier than six months after giving notice to all other States Parties, and subject to the provisions of paragraph 6 of this Section.

(B) A group of States Parties shall cooperate with regard to active and passive quotas in accordance with the provisions of either paragraph 2 or 3 of this Section.

2. (A) The members of a group of States Parties shall have the right to redistribute amongst themselves their active quotas for the current year, while retaining their individual passive quotas. Notification of the redistribution shall be made immediately to all third States Parties concerned.
- (B) An observation flight shall count as many observation flights against the individual and total active quotas of the observing Party as observed Parties belonging to the group are overflowed. It shall count one observation flight against the total passive quota of each observed Party.
- (C) Each State Party in respect of which one or more members of a group of States Parties hold active quotas shall have the right to conduct over the territory of any member of the group 50 per cent more observation flights, rounded up to the nearest whole number, than its individual active quota in respect of that member of the group or to conduct two such overflights if it holds no active quota in respect of that member of the group.
- (D) In the event that it exercises this right the State Party concerned shall reduce its active quotas in respect of other members of the group in such a way that the total sum of observation flights it conducts over their territories shall not exceed the sum of the individual active quotas that the State Party holds in respect of all the members of the group in the current year.
- (E) The maximum flight distances of observation flights over the territories of each member of the group shall apply. In case of an observation flight conducted over several members, after completion of the maximum flight distance for one member all sensors shall be switched off until the observation aircraft reaches the point over the territory of the next member of the group of States Parties where the observation flight is planned to begin. For such follow-on observation flight the maximum flight distance related to the Open Skies airfield nearest to this point shall apply.
3. (A) A group of States Parties shall, at its request, be entitled to a common total passive quota which shall be allocated to it and common individual and total active quotas shall be distributed in respect of it.
- (B) In this case, the total passive quota is the total number of observation flights that the group of States Parties is obliged to accept each year. The total active quota is the sum of the number of observation flights that the group of States Parties has the right to conduct each year. Its total active quota shall not exceed the total passive quota.
- (C) An observation flight resulting from the total active quota of the group of States Parties shall be carried out on behalf of the group.
- (D) Observation flights that a group of States Parties is obliged to accept may be conducted over the territory of one or more of its members.

- (E) The maximum flight distances of each group of States Parties shall be specified pursuant to Annex A, Section III and Open Skies airfields shall be designated pursuant to Annex E to this Treaty.

4. In accordance with the general principles set out in Article X, paragraph 3, any third State Party that considers its rights under the provisions of Section I, paragraph 3 of this Article to be unduly restricted by the operation of a group of States Parties may raise this problem before the Open Skies Consultative Commission.

5. The group of States Parties shall ensure that procedures are established allowing for the conduct of observation flights over the territories of its members during one single mission, including refuelling if necessary. In the case of a group of States Parties established pursuant to paragraph 3 of this Section, such observation flights shall not exceed the maximum flight distance applicable to the Open Skies airfields at which the observation flights commence.

6. No earlier than six months after notification of the decision has been provided to all other States Parties:

- (A) a group of States Parties established pursuant to the provisions of paragraph 2 of this Section may be transformed into a group of States Parties pursuant to the provisions of paragraph 3 of this Section;
- (B) a group of States Parties established pursuant to the provisions of paragraph 3 of this Section may be transformed into a group of States Parties pursuant to the provisions of paragraph 2 of this Section;
- (C) a State Party may withdraw from a group of States Parties; or
- (D) a group of States Parties may admit further States Parties which hold quotas.

7. Following entry into force of this Treaty, changes in the allocation or distribution of quotas resulting from the establishment of or an admission to or a withdrawal from a group of States Parties according to paragraph 3 of this Section shall become effective on 1 January following the first annual review within the Open Skies Consultative Commission occurring after the six-month notification period. When necessary, new Open Skies airfields shall be designated and maximum flight distances established accordingly.

Article IV

SENSORS

1. Except as otherwise provided for in paragraph 3 of this Article, observation aircraft shall be equipped with sensors only from amongst the following categories:

- (A) optical panoramic and framing cameras;
- (B) video cameras with real-time display;
- (C) infra-red line-scanning devices; and
- (D) sideways-looking synthetic aperture radar.

2. A State Party may use, for the purposes of conducting observation flights, any of the sensors specified in paragraph 1 above, provided that such sensors are commercially available to all States Parties, subject to the following performance limits:

- (A) in the case of optical panoramic and framing cameras, a ground resolution of no better than 30 centimetres at the minimum height above ground level determined in accordance with the provisions of Annex D, Appendix 1, obtained from no more than one panoramic camera, one vertically□mounted framing camera and two obliquely□mounted framing cameras, one on each side of the aircraft, providing coverage, which need not be continuous, of the ground up to 50 kilometres of each side of the flight path of the aircraft;
- (B) in the case of video cameras, a ground resolution of no better than 30 centimetres determined in accordance with the provisions of Annex D, Appendix 1;
- (C) in the case of infra-red line-scanning devices, a ground resolution of no better than 50 centimetres at the minimum height above ground level determined in accordance with the provisions of Annex D, Appendix 1, obtained from a single device; and
- (D) in the case of sideways-looking synthetic aperture radar, a ground resolution of no better than three metres calculated by the impulse response method, which, using the object separation method, corresponds to the ability to distinguish on a radar image two corner reflectors, the distance between the centres of which is no less than five metres, over a swath width of no more than 25 kilometres, obtained from a single radar unit capable of looking from either side of the aircraft, but not both simultaneously.

3. The introduction of additional categories and improvements to the capabilities of existing categories of sensors provided for in this Article shall be addressed by the Open Skies Consultative Commission pursuant to Article X of this Treaty.

4. All sensors shall be provided with aperture covers or other devices which inhibit the operation of sensors so as to prevent collection of data during transit flights or flights to points of entry or from points of exit over the territory of the observed Party. Such covers or such other devices shall be removable or operable only from outside the observation aircraft.

5. Equipment that is capable of annotating data collected by sensors in accordance with Annex B, Section II shall be allowed on observation aircraft. The State Party providing the observation aircraft for an observation flight shall annotate the data collected by sensors with the information provided for in Annex B, Section II to this Treaty.

6. Equipment that is capable of displaying data collected by sensors in real-time shall be allowed on observation aircraft for the purposes of monitoring the functioning and operation of the sensors during the conduct of an observation flight.

7. Except as required for the operation of the agreed sensors, or as required for the operation of the observation aircraft, or as provided for in

paragraphs 5 and 6 of this Article, the collection, processing, retransmission or recording of electronic signals from electro-magnetic waves are prohibited on board the observation aircraft and equipment for such operations shall not be on that observation aircraft.

8. In the event that the observation aircraft is provided by the observing Party, the observing Party shall have the right to use an observation aircraft equipped with sensors in each sensor category that do not exceed the capability specified in paragraph 2 of this Article.

9. In the event that the observation aircraft used for an observation flight is provided by the observed Party, the observed Party shall be obliged to provide an observation aircraft equipped with sensors from each sensor category specified in paragraph 1 of this Article, at the maximum capability and in the numbers specified in paragraph 2 of this Article, subject to the provisions of Article XVIII, Section II, unless otherwise agreed by the observing and observed Parties. The package and configuration of such sensors shall be installed in such a way so as to provide coverage of the ground provided for in paragraph 2 of this Article. In the event that the observation aircraft is provided by the observed Party, the latter shall provide a sideways-looking synthetic aperture radar with a ground resolution of no worse than six metres, determined by the object separation method.

10. When designating an aircraft as an observation aircraft pursuant to Article V of this Treaty, each State Party shall inform all other States Parties of the technical information on each sensor installed on such aircraft as provided for in Annex B to this Treaty.

11. Each State Party shall have the right to take part in the certification of sensors installed on observation aircraft in accordance with the provisions of Annex D. No observation aircraft of a given type shall be used for observation flights until such type of observation aircraft and its sensors has been certified in accordance with the provisions of Annex D to this Treaty.

12. A State Party designating an aircraft as an observation aircraft shall, upon 90-day prior notice to all other States Parties and subject to the provisions of Annex D to this Treaty, have the right to remove, replace or add sensors, or amend the technical information it has provided in accordance with the provisions of paragraph 10 of this Article and Annex B to this Treaty. Replacement and additional sensors shall be subject to certification in accordance with the provisions of Annex D to this Treaty prior to their use during an observation flight.

13. In the event that a State Party or group of States Parties, based on experience with using a particular observation aircraft, considers that any sensor or its associated equipment installed on an aircraft does not correspond to those certified in accordance with the provisions of Annex D, the interested States Parties shall notify all other States Parties of their concern. The State Party that designated the aircraft shall:

- (A) take the steps necessary to ensure that the sensor and its associated equipment installed on the observation aircraft correspond to those certified in accordance with the provisions of Annex D, including, as necessary, repair, adjustment or replacement of the particular sensor or its associated equipment; and

- (B) at the request of an interested State Party, by means of a demonstration flight set up in connection with the next time that the aforementioned observation aircraft is used, in accordance with the provisions of Annex F, demonstrate that the sensor and its associated equipment installed on the observation aircraft correspond to those certified in accordance with the provisions of Annex D. Other States Parties that express concern regarding a sensor and its associated equipment installed on an observation aircraft shall have the right to send personnel to participate in such a demonstration flight.

14. In the event that, after the steps referred to in paragraph 13 of this Article have been taken, the States Parties remain concerned as to whether a sensor or its associated equipment installed on an observation aircraft correspond to those certified in accordance with the provisions of Annex D, the issue may be referred to the Open Skies Consultative Commission.

Article V

AIRCRAFT DESIGNATION

1. Each State Party shall have the right to designate as observation aircraft one or more types or models of aircraft registered by the relevant authorities of a State Party.

2. Each State Party shall have the right to designate types or models of aircraft as observation aircraft or add new types or models of aircraft to those designated earlier by it, provided that it notifies all other States Parties 30 days in advance thereof. The notification of the designation of aircraft of a type or model shall contain the information specified in Annex C to this Treaty.

3. Each State Party shall have the right to delete types or models of aircraft designated earlier by it, provided that it notifies all other States Parties 90 days in advance thereof.

4. Only one exemplar of a particular type and model of aircraft with an identical set of associated sensors shall be required to be offered for certification in accordance with the provisions of Annex D to this Treaty.

5. Each observation aircraft shall be capable of carrying the flight crew and the personnel specified in Article VI, Section III.

Article VI

CHOICE OF OBSERVATION AIRCRAFT, GENERAL PROVISIONS FOR THE CONDUCT OF OBSERVATION FLIGHTS, AND REQUIREMENTS FOR MISSION PLANNING

SECTION I. CHOICE OF OBSERVATION AIRCRAFT AND GENERAL PROVISIONS FOR THE CONDUCT OF OBSERVATION FLIGHTS

1. Observation flights shall be conducted using observation aircraft that have been designated by a State Party pursuant to Article V. Unless the observed Party exercises its right to provide an observation aircraft that it has itself designated, the observing Party shall have the right to provide the observation aircraft. In the event that the observing Party provides the observation aircraft, it shall have the right to provide an aircraft that it has itself designated or an aircraft designated by another State Party. In the event that the observed Party provides the observation aircraft, the observing Party shall have the right to be provided with an aircraft capable of achieving a minimum unrefuelled range, including the necessary fuel reserves, equivalent to one-half of the flight distance, as notified in accordance with paragraph 5, subparagraph (G) of this Section.

2. Each State Party shall have the right, pursuant to paragraph 1 of this Section, to use an observation aircraft designated by another State Party for observation flights. Arrangements for the use of such aircraft shall be worked out by the States Parties involved to allow for active participation in the Open Skies regime.

3. States Parties having the right to conduct observation flights may co-ordinate their plans for conducting observation flights in accordance with Annex H to this Treaty. No State Party shall be obliged to accept more than one observation flight at any one time during the 96-hour period specified in paragraph 9 of this Section, unless that State Party has requested a demonstration flight pursuant to Annex F to this Treaty. In that case, the observed Party shall be obliged to accept an overlap for the observation flights of up to 24 hours. After having been notified of the results of the co-ordination of plans to conduct observation flights, each State Party over whose territory observation flights are to be conducted shall inform other States Parties, in accordance with the provisions of Annex H, whether it will exercise, with regard to each specific observation flight, its right to provide its own observation aircraft.

4. No later than 90 days after signature of this Treaty, each State Party shall provide notification to all other States Parties:

- (A) of the standing diplomatic clearance number for Open Skies observation flights, flights of transport aircraft and transit flights; and
- (B) of which language or languages of the Open Skies Consultative Commission specified in Annex L, Section I, paragraph 7 to this Treaty shall be used by personnel for all activities associated with the conduct of observation flights over its territory, and for completing the mission plan and mission report, unless the language to be used is the one recommended in Annex 10 to the

Convention on International Civil Aviation, Volume II, paragraph 5.2.1.1.2.

5. The observing Party shall notify the observed Party of its intention to conduct an observation flight, no less than 72 hours prior to the estimated time of arrival of the observing Party at the point of entry of the observed Party. States Parties providing such notifications shall make every effort to avoid using the minimum pre-notification period over weekends. Such notification shall include:

- (A) the desired point of entry and, if applicable, Open Skies airfield where the observation flight shall commence;
- (B) the date and estimated time of arrival of the observing Party at the point of entry and the date and estimated time of departure for the flight from the point of entry to the Open Skies airfield, if applicable, indicating specific accommodation needs;
- (C) the location, specified in Annex E, Appendix 1, where the conduct of the pre-flight inspection is desired and the date and start time of such pre-flight inspection in accordance with the provisions of Annex F;
- (D) the mode of transport and, if applicable, type and model of the transport aircraft used to travel to the point of entry in the event that the observation aircraft used for the observation flight is provided by the observed Party;
- (E) the diplomatic clearance number for the observation flight or for the flight of the transport aircraft used to bring the personnel in and out of the territory of the observed Party to conduct an observation flight;
- (F) the identification of the observation aircraft, as specified in Annex C;
- (G) the approximate observation flight distance; and
- (H) the names of the personnel, their gender, date and place of birth, passport number and issuing State Party, and their function.

6. The observed Party that is notified in accordance with paragraph 5 of this Section shall acknowledge receipt of the notification within 24 hours. In the event that the observed Party exercises its right to provide the observation aircraft, the acknowledgement shall include the information about the observation aircraft specified in paragraph 5, subparagraph (F) of this Section. The observing Party shall be permitted to arrive at the point of entry at the estimated time of arrival as notified in accordance with paragraph 5 of this Section. The estimated time of departure for the flight from the point of entry to the Open Skies airfield where the observation flight shall commence and the location, the date and the start time of the pre-flight inspection shall be subject to confirmation by the observed Party.

7. Personnel of the observing Party may include personnel designated pursuant to Article XIII by other States Parties.

8. The observing Party, when notifying the observed Party in accordance with paragraph 5 of this Section, shall simultaneously notify all other States Parties of its intention to conduct the observation flight.

9. The period from the estimated time of arrival at the point of entry until completion of the observation flight shall not exceed 96 hours, unless otherwise agreed. In the event that the observed Party requests a de-

monstration flight pursuant to Annex F to the Treaty, it shall extend the 96-hour period pursuant to Annex F, Section III, paragraph 4, if additional time is required by the observing Party for the unrestricted execution of the mission plan.

10. Upon arrival of the observation aircraft at the point of entry, the observed Party shall inspect the covers for sensor apertures or other devices that inhibit the operation of sensors to confirm that they are in their proper position pursuant to Annex E, unless otherwise agreed by all States Parties involved.

11. In the event that the observation aircraft is provided by the observing Party, upon the arrival of the observation aircraft at the point of entry or at the Open Skies airfield where the observation flight commences, the observed Party shall have the right to carry out the pre-flight inspection pursuant to Annex F, Section I. In the event that, in accordance with paragraph 1 of this Section, an observation aircraft is provided by the observed Party, the observing Party shall have the right to carry out the pre-flight inspection of sensors pursuant to Annex F, Section II. Unless otherwise agreed, such inspections shall terminate no less than four hours prior to the scheduled commencement of the observation flight set forth in the flight plan.

12. The observing Party shall ensure that its flight crew includes at least one individual who has the necessary linguistic ability to communicate freely with the personnel of the observed Party and its air traffic control authorities in the language or languages notified by the observed Party in accordance with paragraph 4 of this Section.

13. The observed Party shall provide the flight crew, upon its arrival at the point of entry or at the Open Skies airfield where the observation flight commences, with the most recent weather forecast and air navigation information and information on flight safety, including Notices to Airmen. Updates of such information shall be provided as requested. Instrument procedures, and information about alternate airfields along the flight route, shall be provided upon approval of the mission plan in accordance with the requirements of Section II of this Article.

14. While conducting observation flights pursuant to this Treaty, all observation aircraft shall be operated in accordance with the provisions of this Treaty and in accordance with the approved flight plan. Without prejudice to the provisions of Section II, paragraph 2 of this Article, observation flights shall also be conducted in compliance with:

- (A) published ICAO standards and recommended practices; and
- (B) published national air traffic control rules, procedures and guidelines on flight safety of the State Party whose territory is being overflown.

15. Observation flights shall take priority over any regular air traffic. The observed Party shall ensure that its air traffic control authorities facilitate the conduct of observation flights in accordance with this Treaty.

16. On board the aircraft the pilot-in-command shall be the sole authority for the safe conduct of the flight and shall be responsible for the execution of the flight plan.

17. The observed Party shall provide:

- (A) a calibration target suitable for confirming the capability of sensors in accordance with the procedures set forth in Annex D,

Section III to this Treaty, to be overflown during the demonstration flight or the observation flight upon the request of either Party, for each sensor that is to be used during the observation flight. The calibration target shall be located in the vicinity of the airfield at which the pre-flight inspection is conducted pursuant to Annex F to this Treaty;

- (B) customary commercial aircraft fuelling and servicing for the observation aircraft or transport aircraft at the point of entry, at the Open Skies airfield, at any refuelling airfield, and at the point of exit specified in the flight plan, according to the specifications that are published about the designated airfield;
- (C) meals and the use of accommodation for the personnel of the observing Party; and
- (D) upon the request of the observing Party, further services, as may be agreed upon between the observing and observed Parties, to facilitate the conduct of the observation flight.

18. All costs involved in the conduct of the observation flight, including the costs of the recording media and the processing of the data collected by sensors, shall be reimbursed in accordance with Annex L, Section I, paragraph 9 to this Treaty.

19. Prior to the departure of the observation aircraft from the point of exit, the observed Party shall confirm that the covers for sensor apertures or other devices that inhibit the operation of sensors are in their proper position pursuant to Annex E to this Treaty.

20. Unless otherwise agreed, the observing Party shall depart from the point of exit no later than 24 hours following completion of the observation flight, unless weather conditions or the airworthiness of the observation aircraft or transport aircraft do not permit, in which case the flight shall commence as soon as practicable.

21. The observing Party shall compile a mission report of the observation flight using the appropriate format developed by the Open Skies Consultative Commission. The mission report shall contain pertinent data on the date and time of the observation flight, its route and profile, weather conditions, time and location of each observation period for each sensor, the approximate amount of data collected by sensors, and the result of inspection of covers for sensor apertures or other devices that inhibit the operation of sensors in accordance with Article VII and Annex E. The mission report shall be signed by the observing and observed Parties at the point of exit and shall be provided by the observing Party to all other States Parties within seven days after departure of the observing Party from the point of exit.

SECTION II. REQUIREMENTS FOR MISSION PLANNING

1. Unless otherwise agreed, the observing Party shall, after arrival at the Open Skies airfield, submit to the observed Party a mission plan for the proposed observation flight that meets the requirements of paragraphs 2 and 4 of this Section.

2. The mission plan may provide for an observation flight that allows for the observation of any point on the entire territory of the observed

Party, including areas designated by the observed Party as hazardous airspace in the source specified in Annex I. The flight path of an observation aircraft shall not be closer than, but shall be allowed up to, ten kilometres from the border with an adjacent State that is not a State Party.

3. The mission plan may provide that the Open Skies airfield where the observation flight terminates, as well as the point of exit, may be different from the Open Skies airfield where the observation flight commences or the point of entry. The mission plan shall specify, if applicable, the commencement time of the observation flight, the desired time and place of planned refuelling stops or rest periods, and the time of continuation of the observation flight after a refuelling stop or rest period within the 96-hour period specified in Section I, paragraph 9 of this Article.

4. The mission plan shall include all information necessary to file the flight plan and shall provide that:

- (A) the observation flight does not exceed the relevant maximum flight distance as set forth in Annex A, Section I;
- (B) the route and profile of the observation flight satisfies observation flight safety conditions in conformity with ICAO standards and recommended practices, taking into account existing differences in national flight rules, without prejudice to the provisions of paragraph 2 of this Section;
- (C) the mission plan takes into account information on hazardous airspace, as provided in accordance with Annex I;
- (D) the height above ground level of the observation aircraft does not permit the observing Party to exceed the limitation on ground resolution for each sensor, as set forth in Article IV, paragraph 2;
- (E) the estimated time of commencement of the observation flight shall be no less than 24 hours after the submission of the mission plan, unless otherwise agreed;
- (F) the observation aircraft flies a direct route between the co-ordinates or navigation fixes designated in the mission plan in the declared sequence; and
- (G) the flight path does not intersect at the same point more than once, unless otherwise agreed, and the observation aircraft does not circle around a single point, unless otherwise agreed. The provisions of this subparagraph do not apply for the purposes of taking off, flying over calibration targets, or landing by the observation aircraft.

5. In the event that the mission plan filed by the observing Party provides for flights through hazardous airspace, the observed Party shall:

- (A) specify the hazard to the observation aircraft;
- (B) facilitate the conduct of the observation flight by co-ordination or suppression of the activity specified pursuant to subparagraph (A) of this paragraph; or
- (C) propose an alternative flight altitude, route, or time.

6. No later than four hours after submission of the mission plan, the observed Party shall accept the mission plan or propose changes to it in accordance with Article VIII, Section I, paragraph 4 and paragraph 5 of this Section. Such changes shall not preclude observation of any point on the entire territory of the observed Party, including areas designated by

the observed Party as hazardous airspace in the source specified in Annex I to this Treaty. Upon agreement, the mission plan shall be signed by the observing and observed Parties. In the event that the Parties do not reach agreement on the mission plan within eight hours of the submission of the original mission plan, the observing Party shall have the right to decline to conduct the observation flight in accordance with the provisions of Article VIII of this Treaty.

7. If the planned route of the observation flight approaches the border of other States Parties or other States, the observed Party may notify that State or those States of the estimated route, date and time of the observation flight.

8. On the basis of the agreed mission plan the State Party providing the observation aircraft shall, in co-ordination with the other State Party, file the flight plan immediately, which shall have the content specified in Annex 2 to the Convention on International Civil Aviation and shall be in the format specified by ICAO Document No. 4444-RAC/501/12, "Rules of the Air and Air Traffic Services", as revised or amended.

SECTION III. SPECIAL PROVISIONS

1. In the event that the observation aircraft is provided by the observing Party, the observed Party shall have the right to have on board the observation aircraft two flight monitors and one interpreter, in addition to one flight monitor for each sensor control station on board the observation aircraft, unless otherwise agreed. Flight monitors and interpreters shall have the rights and obligations specified in Annex G to this Treaty.

2. Notwithstanding paragraph 1 of this Section, in the event that an observing Party uses an observation aircraft which has a maximum take-off gross weight of no more than 35,000 kilograms for an observation flight distance of no more than 1,500 kilometres as notified in accordance with Section I, paragraph 5, subparagraph (G) of this Article, it shall be obliged to accept only two flight monitors and one interpreter on board the observation aircraft, unless otherwise agreed.

3. In the event that the observation aircraft is provided by the observed Party, the observed Party shall permit the personnel of the observing Party to travel to the point of entry of the observed Party in the most expeditious manner. The personnel of the observing Party may elect to travel to the point of entry using ground, sea, or air transportation, including transportation by an aircraft owned by any State Party. Procedures regarding such travel are set forth in Annex E to this Treaty.

4. In the event that the observation aircraft is provided by the observed Party, the observing Party shall have the right to have on board the observation aircraft two flight representatives and one interpreter, in addition to one flight representative for each sensor control station on the aircraft, unless otherwise agreed. Flight representatives and interpreters shall have the rights and obligations set forth in Annex G to this Treaty.

5. In the event that the observing State Party provides an observation aircraft designated by a State Party other than the observing or observed Party, the observing Party shall have the right to have on board the observation aircraft two representatives and one interpreter, in addition to

one representative for each sensor control station on the aircraft, unless otherwise agreed. In this case, the provisions on flight monitors set forth in paragraph 1 of this Section shall also apply. Representatives and interpreters shall have the rights and obligations set forth in Annex G to this Treaty.

Article VII

TRANSIT FLIGHTS

1. Transit flights conducted by an observing Party to and from the territory of an observed Party for the purposes of this Treaty shall originate on the territory of the observing Party or of another State Party.

2. Each State Party shall accept transit flights. Such transit flights shall be conducted along internationally recognized Air Traffic Services routes, unless otherwise agreed by the States Parties involved, and in accordance with the instructions of the national air traffic control authorities of each State Party whose airspace is transited. The observing Party shall notify each State Party whose airspace is to be transited at the same time that it notifies the observed Party in accordance with Article VI.

3. The operation of sensors on an observation aircraft during transit flights is prohibited. In the event that, during the transit flight, the observation aircraft lands on the territory of a State Party, that State Party shall, upon landing and prior to departure, inspect the covers of sensor apertures or other devices that inhibit the operation of sensors to confirm that they are in their proper position.

Article VIII

PROHIBITIONS, DEVIATIONS FROM FLIGHT PLANS AND EMERGENCY SITUATIONS

SECTION I. PROHIBITION OF OBSERVATION FLIGHTS AND CHANGES TO MISSION PLANS

1. The observed Party shall have the right to prohibit an observation flight that is not in compliance with the provisions of this Treaty.

2. The observed Party shall have the right to prohibit an observation flight prior to its commencement in the event that the observing Party fails to arrive at the point of entry within 24 hours after the estimated time of arrival specified in the notification provided in accordance with Article VI, Section I, paragraph 5, unless otherwise agreed between the States Parties involved.

3. In the event that an observed State Party prohibits an observation flight pursuant to this Article or Annex F, it shall immediately state the facts for the prohibition in the mission plan. Within seven days the observed Party shall provide to all States Parties, through diplomatic channels, a written explanation for this prohibition in the mission report provided pursuant to Article VI, Section I, paragraph 21. An observation

flight that has been prohibited shall not be counted against the quota of either State Party.

4. The observed Party shall have the right to propose changes to the mission plan as a result of any of the following circumstances:

- (A) the weather conditions affect flight safety;
- (B) the status of the Open Skies airfield to be used, alternate airfields, or refuelling airfields prevents their use; or
- (C) the mission plan is inconsistent with Article VI, Section II, paragraphs 2 and 4.

5. In the event that the observing Party disagrees with the proposed changes to the mission plan, it shall have the right to submit alternatives to the proposed changes. In the event that agreement on a mission plan is not reached within eight hours of the submission of the original mission plan, and if the observing Party considers the changes to the mission plan to be prejudicial to its rights under this Treaty with respect to the conduct of the observation flight, the observing Party shall have the right to decline to conduct the observation flight, which shall not be recorded against the quota of either State Party.

6. In the event that an observing Party declines to conduct an observation flight pursuant to this Article or Annex F, it shall immediately provide an explanation of its decision in the mission plan prior to the departure of the observing Party. Within seven days after departure of the observing Party, the observing Party shall provide to all other States Parties, through diplomatic channels, a written explanation for this decision in the mission report provided pursuant to Article VI, Section I, paragraph 21.

SECTION II. DEVIATIONS FROM THE FLIGHT PLAN

1. Deviations from the flight plan shall be permitted during the observation flight if necessitated by:

- (A) weather conditions affecting flight safety;
- (B) technical difficulties relating to the observation aircraft;
- (C) a medical emergency of any person on board; or
- (D) air traffic control instructions related to circumstances brought about by force majeure.

2. In addition, if weather conditions prevent effective use of optical sensors and infra-red line-scanning devices, deviations shall be permitted, provided that:

- (A) flight safety requirements are met;
- (B) in cases where national rules so require, permission is granted by air traffic control authorities; and
- (C) the performance of the sensors does not exceed the capabilities specified in Article IV, paragraph 2, unless otherwise agreed.

3. The observed Party shall have the right to prohibit the use of a particular sensor during a deviation that brings the observation aircraft below the minimum height above ground level for operating that particular sensor, in accordance with the limitation on ground resolution specified in Article IV, paragraph 2. In the event that a deviation requires the observation aircraft to alter its flight path by more than 50 kilometres from the

flight path specified in the flight plan, the observed Party shall have the right to prohibit the use of all the sensors installed on the observation aircraft beyond that 50-kilometre limit.

4. The observing Party shall have the right to curtail an observation flight during its execution in the event of sensor malfunction. The pilot-in-command shall have the right to curtail an observation flight in the event of technical difficulties affecting the safety of the observation aircraft.

5. In the event that a deviation from the flight plan permitted by paragraph 1 of this Section results in curtailment of the observation flight, or a curtailment occurs in accordance with paragraph 4 of this Section, an observation flight shall be counted against the quotas of both States Parties, unless the curtailment is due to:

- (A) sensor malfunction on an observation aircraft provided by the observed Party;
- (B) technical difficulties relating to the observation aircraft provided by the observed Party;
- (C) a medical emergency of a member of the flight crew of the observed Party or of flight monitors; or
- (D) air traffic control instructions related to circumstances brought about by force majeure.

In such cases the observing Party shall have the right to decide whether to count it against the quotas of both States Parties.

6. The data collected by the sensors shall be retained by the observing Party only if the observation flight is counted against the quotas of both States Parties.

7. In the event that a deviation is made from the flight plan, the pilot-in-command shall take action in accordance with the published national flight regulations of the observed Party. Once the factors leading to the deviation have ceased to exist, the observation aircraft may, with the permission of the air traffic control authorities, continue the observation flight in accordance with the flight plan. The additional flight distance of the observation aircraft due to the deviation shall not count against the maximum flight distance.

8. Personnel of both States Parties on board the observation aircraft shall be immediately informed of all deviations from the flight plan.

9. Additional expenses resulting from provisions of this Article shall be reimbursed in accordance with Annex L, Section I, paragraph 9 to this Treaty.

SECTION III. EMERGENCY SITUATIONS

1. In the event that an emergency situation arises, the pilot-in-command shall be guided by "Procedures for Air Navigation Services – Rules of the Air and Air Traffic Services", ICAO Document No. 4444-RAC/501/12, as revised or amended, the national flight regulations of the observed Party, and the flight operation manual of the observation aircraft.

2. Each observation aircraft declaring an emergency shall be accorded the full range of distress and navigational facilities of the observed Party

in order to ensure the most expeditious recovery of the aircraft to the nearest suitable airfield.

3. In the event of an aviation accident involving the observation aircraft on the territory of the observed Party, search and rescue operations shall be conducted by the observed Party in accordance with its own regulations and procedures for such operations.

4. Investigation of an aviation accident or incident involving an observation aircraft shall be conducted by the observed Party, with the participation of the observing Party, in accordance with the ICAO recommendations set forth in Annex 13 to the Convention on International Civil Aviation ("Investigation of Aviation Accidents") as revised or amended and in accordance with the national regulations of the observed Party.

5. In the event that the observation aircraft is not registered with the observed Party, at the conclusion of the investigation all wreckage and debris of the observation aircraft and sensors, if found and recovered, shall be returned to the observing Party or to the Party to which the aircraft belongs, if so requested.

Article IX

SENSOR OUTPUT FROM OBSERVATION FLIGHTS

SECTION I. GENERAL PROVISIONS

1. For the purposes of recording data collected by sensors during observation flights, the following recording media shall be used:

- (A) in the case of optical panoramic and framing cameras, black and white photographic film;
- (B) in the case of video cameras, magnetic tape;
- (C) in the case of infra-red line-scanning devices, black and white photographic film or magnetic tape; and
- (D) in the case of sideways-looking synthetic aperture radar, magnetic tape.

The agreed format in which such data is to be recorded and exchanged on other recording media shall be decided within the Open Skies Consultative Commission during the period of provisional application of this Treaty.

2. Data collected by sensors during observation flights shall remain on board the observation aircraft until completion of the observation flight. The transmission of data collected by sensors from the observation aircraft during the observation flight is prohibited.

3. Each roll of photographic film and cassette or reel of magnetic tape used to collect data by a sensor during an observation flight shall be placed in a container and sealed in the presence of the States Parties as soon as is practicable after it has been removed from the sensor.

4. Data collected by sensors during observation flights shall be made available to States Parties in accordance with the provisions of this Article and shall be used exclusively for the attainment of the purposes of this Treaty.

5. In the event that, on the basis of data provided pursuant to Annex B, Section I to this Treaty, a data recording medium to be used by a State Party during an observation flight is incompatible with the equipment of another State Party for handling that data recording medium, the States Parties involved shall establish procedures to ensure that all data collected during observation flights can be handled, in terms of processing, duplication and storage, by them.

SECTION II. OUTPUT FROM SENSORS THAT USE PHOTO-GRAPHIC FILM

1. In the event that output from duplicate optical cameras is to be exchanged, the cameras, film and film processing shall be of an identical type.

2. Provided that the data collected by a single optical camera is subject to exchange, the States Parties shall consider, within the Open Skies Consultative Commission during the period of provisional application of this Treaty, the issue of whether the responsibility for the development of the original film negative shall be borne by the observing Party or by the State Party providing the observation aircraft. The State Party developing the original film negative shall be responsible for the quality of processing the original negative film and producing the duplicate positive or negative. In the event that States Parties agree that the film used during the observation flight conducted on an observation aircraft provided by the observed Party shall be processed by the observing Party, the observed Party shall bear no responsibility for the quality of the processing of the original negative film.

3. All the film used during the observation flight shall be developed:

(A) in the event that the original film negative is developed at a film processing facility arranged for by the observed Party, no later than three days, unless otherwise agreed, after the arrival of the observation aircraft at the point of exit; or

(B) in the event that the original film negative is developed at a film processing facility arranged for by the observing Party, no later than ten days after the departure of the observation aircraft from the territory of the observed Party.

4. The State Party that is developing the original film negative shall be obliged to accept at the film processing facility up to two officials from the other State Party to monitor the unsealing of the film cassette or container and each step in the storage, processing, duplication and handling of the original film negative, in accordance with the provisions of Annex K, Section II to this Treaty. The State Party monitoring the film processing and duplication shall have the right to designate such officials from among its nationals present on the territory on which the film processing facility arranged for by the other State Party is located, provided that such individuals are on the list of designated personnel in accordance with Article XIII, Section I of this Treaty. The State Party developing the film shall assist the officials of the other State Party in their functions provided for in this paragraph to the maximum extent possible.

5. Upon completion of an observation flight, the State Party that is to develop the original film negative shall attach a 21-step sensitometric test strip of the same film type used during the observation flight or shall expose a 21-step optical wedge onto the leader or trailer of each roll of original film negative used during the observation flight. After the original film negative has been processed and duplicate film negative or positive has been produced, the States Parties shall assess the image quality of the 21-step sensitometric test strips or images of the 21-step optical wedge against the characteristics provided for that type of original film negative or duplicate film negative or positive in accordance with the provisions of Annex K, Section I to this Treaty.

6. In the event that only one original film negative is developed:

- (A) the observing Party shall have the right to retain or receive the original film negative; and
- (B) the observed Party shall have the right to select and receive a complete first generation duplicate or part thereof, either positive or negative, of the original film negative. Unless otherwise agreed, such duplicate shall be:
 - (1) of the same format and film size as the original film negative;
 - (2) produced immediately after development of the original film negative; and
 - (3) provided to the officials of the observed Party immediately after the duplicate has been produced.

7. In the event that two original film negatives are developed:

- (A) if the observation aircraft is provided by the observing Party, the observed Party shall have the right, at the completion of the observation flight, to select either of the two original film negatives, and the original film negative not selected shall be retained by the observing Party; or
- (B) if the observation aircraft is provided by the observed Party, the observing Party shall have the right to select either of the original film negatives, and the original film negative not selected shall be retained by the observed Party.

SECTION III. OUTPUT FROM SENSORS THAT USE OTHER RECORDING MEDIA

1. The State Party that provides the observation aircraft shall record at least one original set of data collected by sensors using other recording media.

2. In the event that only one original set is made:

- (A) if the observation aircraft is provided by the observing Party, the observing Party shall have the right to retain the original set and the observed Party shall have the right to receive a first generation duplicate copy; or
- (B) if the observation aircraft is provided by the observed Party, the observing Party shall have the right to receive the original set and the observed Party shall have the right to receive a first generation duplicate copy.

3. In the event that two original sets are made:
 - (A) if the observation aircraft is provided by the observing Party, the observed Party shall have the right, at the completion of the observation flight, to select either of the two sets of recording media, and the set not selected shall be retained by the observing Party; or
 - (B) if the observation aircraft is provided by the observed Party, the observing Party shall have the right to select either of the two sets of recording media, and the set not selected shall be retained by the observed Party.
4. In the event that the observation aircraft is provided by the observing Party, the observed Party shall have the right to receive the data collected by a sideways-looking synthetic aperture radar in the form of either initial phase information or a radar image, at its choice.
5. In the event that the observation aircraft is provided by the observed Party, the observing Party shall have the right to receive the data collected by a sideways-looking synthetic aperture radar in the form of either initial phase information or a radar image, at its choice.

SECTION IV. ACCESS TO SENSOR OUTPUT

Each State Party shall have the right to request and receive from the observing Party copies of data collected by sensors during an observation flight. Such copies shall be in the form of first generation duplicates produced from the original data collected by sensors during an observation flight. The State Party requesting copies shall also notify the observed Party. A request for duplicates of data shall include the following information:

- (A) the observing Party;
- (B) the observed Party;
- (C) the date of the observation flight;
- (D) the sensor by which the data was collected;
- (E) the portion or portions of the observation period during which the data was collected; and
- (F) the type and format of duplicate recording medium, either negative or positive film, or magnetic tape.

Article X

OPEN SKIES CONSULTATIVE COMMISSION

1. In order to promote the objectives and facilitate the implementation of the provisions of this Treaty, the States Parties hereby establish an Open Skies Consultative Commission.
2. The Open Skies Consultative Commission shall take decisions or make recommendations by consensus. Consensus shall be understood to mean the absence of any objection by any State Party to the taking of a decision or the making of a recommendation.
3. Each State Party shall have the right to raise before the Open Skies Consultative Commission, and have placed on its agenda, any issue rela-

ting to this Treaty, including any issue related to the case when the observed Party provides an observation aircraft.

4. Within the framework of the Open Skies Consultative Commission the States Parties to this Treaty shall:

- (A) consider questions relating to compliance with the provisions of this Treaty;
- (B) seek to resolve ambiguities and differences of interpretation that may become apparent in the way this Treaty is implemented;
- (C) consider and take decisions on applications for accession to this Treaty; and
- (D) agree as to those technical and administrative measures, pursuant to the provisions of this Treaty, deemed necessary following the accession to this Treaty by other States.

5. The Open Skies Consultative Commission may propose amendments to this Treaty for consideration and approval in accordance with Article XVI. The Open Skies Consultative Commission may also agree on improvements to the viability and effectiveness of this Treaty, consistent with its provisions. Improvements relating only to modification of the annual distribution of active quotas pursuant to Article III and Annex A, to updates and additions to the categories or capabilities of sensors pursuant to Article IV, to revision of the share of costs pursuant to Annex L, Section I, paragraph 9, to arrangements for the sharing and availability of data pursuant to Article IX, Sections III and IV and to the handling of mission reports pursuant to Article VI, Section I, paragraph 21, as well as to minor matters of an administrative or technical nature, shall be agreed upon within the Open Skies Consultative Commission and shall not be deemed to be amendments to this Treaty.

6. The Open Skies Consultative Commission shall request the use of the facilities and administrative support of the Conflict Prevention Centre of the Conference on Security and Co-operation in Europe, or other existing facilities in Vienna, unless it decides otherwise.

7. Provisions for the operation of the Open Skies Consultative Commission are set forth in Annex L to this Treaty.

Article XI

NOTIFICATIONS AND REPORTS

The States Parties shall transmit notifications and reports required by this Treaty in written form. The States Parties shall transmit such notifications and reports through diplomatic channels or, at their choice, through other official channels, such as the communications network of the Conference on Security and Co-operation in Europe.

Article XII

LIABILITY

A State Party shall, in accordance with international law and practice, be liable to pay compensation for damage to other States Parties, or to their

natural or juridical persons or their property, caused by it in the course of the implementation of this Treaty.

Article XIII

DESIGNATION OF PERSONNEL AND PRIVILEGES AND IMMUNITIES

SECTION I. DESIGNATION OF PERSONNEL

1. Each State Party shall, at the same time that it deposits its instrument of ratification to either of the Depositaries, provide to all other States Parties, for their review, a list of designated personnel who will carry out all duties relating to the conduct of observation flights for that State Party, including monitoring the processing of the sensor output. No such list of designated personnel shall include more than 400 individuals at any time. It shall contain the name, gender, date of birth, place of birth, passport number, and function for each individual included. Each State Party shall have the right to amend its list of designated personnel until 30 days after entry into force of this Treaty and once every six months thereafter.

2. In the event that any individual included on the original or any amended list is unacceptable to a State Party reviewing the list, that State Party shall, no later than 30 days after receipt of each list, notify the State Party providing that list that such individual shall not be accepted with respect to the objecting State Party. Individuals not declared unacceptable within that 30-day period shall be deemed accepted. In the event that a State Party subsequently determines that an individual is unacceptable, that State Party shall so notify the State Party that designated such individual. Individuals who are declared unacceptable shall be removed from the list previously submitted to the objecting State Party.

3. The observed Party shall provide visas and any other documents as required to ensure that each accepted individual may enter and remain on the territory of that State Party for the purpose of carrying out duties relating to the conduct of observation flights, including monitoring the processing of the sensor output. Such visas and any other necessary documents shall be provided either:

- (A) no later than 30 days after the individual is deemed to be accepted, in which case the visa shall be valid for a period of no less than 24 months; or
- (B) no later than one hour after the arrival of the individual at the point of entry, in which case the visa shall be valid for the duration of that individual's duties; or
- (C) at any other time, by mutual agreement of the States Parties involved.

SECTION II. PRIVILEGES AND IMMUNITIES

1. In order to exercise their functions effectively, for the purpose of implementing this Treaty and not for their personal benefit, personnel

designated in accordance with the provisions of Section I, paragraph 1 of this Article shall be accorded the privileges and immunities enjoyed by diplomatic agents pursuant to Article 29; Article 30, paragraph 2; Article 31, paragraphs 1, 2 and 3; and Articles 34 and 35 of the Vienna Convention on Diplomatic Relations of 18 April 1961, hereinafter referred to as the Vienna Convention. In addition, designated personnel shall be accorded the privileges enjoyed by diplomatic agents pursuant to Article 36, paragraph 1, subparagraph (b) of the Vienna Convention, except in relation to articles, the import or export of which is prohibited by law or controlled by quarantine regulations.

2. Such privileges and immunities shall be accorded to designated personnel for the entire period between arrival on and departure from the territory of the observed Party, and thereafter with respect to acts previously performed in the exercise of their official functions. Such personnel shall also, when transiting the territory of other States Parties, be accorded the privileges and immunities enjoyed by diplomatic agents pursuant to Article 40, paragraph 1 of the Vienna Convention.

3. The immunity from jurisdiction may be waived by the observing Party in those cases when it would impede the course of justice and can be waived without prejudice to this Treaty. The immunity of personnel who are not nationals of the observing Party may be waived only by the States Parties of which such personnel are nationals. Waiver must always be express.

4. Without prejudice to their privileges and immunities or the rights of the observing Party set forth in this Treaty, it is the duty of designated personnel to respect the laws and regulations of the observed Party.

5. The transportation means of the personnel shall be accorded the same immunities from search, requisition, attachment or execution as those of a diplomatic mission pursuant to Article 22, paragraph 3 of the Vienna Convention, except as otherwise provided for in this Treaty.

Article XIV

BENELUX

1. Solely for the purposes of Articles II to IX and Article XI, and of Annexes A to I and Annex K to this Treaty, the Kingdom of Belgium, the Grand Duchy of Luxembourg, and the Kingdom of the Netherlands shall be deemed a single State Party, hereinafter referred to as the Benelux.

2. Without prejudice to the provisions of Article XV, the above-mentioned States Parties may terminate this arrangement by notifying all other States Parties thereof. This arrangement shall be deemed to be terminated on the next 31 December following the 60-day period after such notification.

Article XV

DURATION AND WITHDRAWAL

1. This Treaty shall be of unlimited duration.
2. A State Party shall have the right to withdraw from this Treaty. A State Party intending to withdraw shall provide notice of its decision to withdraw to either Depositary at least six months in advance of the date of its intended withdrawal and to all other States Parties. The Depositaries shall promptly inform all other States Parties of such notice.
3. In the event that a State Party provides notice of its decision to withdraw from this Treaty in accordance with paragraph 2 of this Article, the Depositaries shall convene a conference of the States Parties no less than 30 days and no more than 60 days after they have received such notice, in order to consider the effect of the withdrawal on this Treaty.

Article XVI

AMENDMENTS AND PERIODIC REVIEW

1. Each State Party shall have the right to propose amendments to this Treaty. The text of each proposed amendment shall be submitted to either Depositary, which shall circulate it to all States Parties for consideration. If so requested by no less than three States Parties within a period of 90 days after circulation of the proposed amendment, the Depositaries shall convene a conference of the States Parties to consider the proposed amendment. Such a conference shall open no earlier than 30 days and no later than 60 days after receipt of the third of such requests.
2. An amendment to this Treaty shall be subject to the approval of all States Parties, either by providing notification, in writing, of their approval to a Depositary within a period of 90 days after circulation of the proposed amendment, or by expressing their approval at a conference convened in accordance with paragraph 1 of this Article. An amendment so approved shall be subject to ratification in accordance with the provisions of Article XVII, paragraph 1, and shall enter into force 60 days after the deposit of instruments of ratification by the States Parties.
3. Unless requested to do so earlier by no less than three States Parties, the Depositaries shall convene a conference of the States Parties to review the implementation of this Treaty three years after entry into force of this Treaty and at five-year intervals thereafter.

Article XVII

DEPOSITARIES, ENTRY INTO FORCE AND ACCESSION

1. This Treaty shall be subject to ratification by each State Party in accordance with its constitutional procedures. Instruments of ratification and instruments of accession shall be deposited with the Government of Canada or the Government of the Republic of Hungary or both, hereby designated the Depositaries. This Treaty shall be registered by the Depositaries pursuant to Article 102 of the Charter of the United Nations.