

Bilateral Consultative Commission
Agreement Number 4

On the Use of Tamper Detection Equipment

The Delegation of the United States of America to the Bilateral Consultative Commission and the Delegation of the Russian Federation to the Bilateral Consultative Commission,

Acting in accordance with the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms of April 8, 2010, hereinafter referred to as the Treaty,

Pursuant to subparagraph (b) of Section I of Part Six of the Protocol to the Treaty,

Have agreed as follows:

1. The inspecting Party shall have the right to use tamper detection equipment that is brought to points of entry on the territory of the inspected Party. The tamper detection equipment shall be used only to apply tamper detection seals to tamper-proof containers referred to in subparagraph 9(c) and in paragraph 11 of Section VI of Part Five of the Annex on Inspection Activities to the Protocol to the Treaty, in which radiation detection equipment is stored, and to determine the condition of a previously applied tamper detection seal. Such tamper detection seals shall not be applied to and such tamper detection equipment shall not be used on the tamper-proof containers in which the calibration source is stored.

2. The Parties shall use makes and types of tamper detection equipment that are commercially available and available for acquisition by both Parties at the time the inspected Party provides consent to bring the equipment into its territory pursuant to paragraph 3 of this Agreement.

3. Prior to the first time the tamper detection equipment is brought into the territory of the inspected Party, the inspecting Party shall provide to the inspected Party a Format Number 43 notification containing a list of such tamper detection equipment, indicating the manufacturer's name and the model. The inspected Party shall, within 30 days from the date of receipt of the inspecting Party's notification, provide a Format Number 43 notification containing its consent to bring in such equipment or refusing such consent, with an explanation of the reasons for the refusal.

4. The inspecting Party may substitute tamper detection equipment of a different manufacturer or different model, subject to compliance with paragraphs 2 and 3 of this Agreement.

5. Tamper detection equipment shall be subject to examination by the inspected Party in accordance with paragraphs 2 and 4 of Section I of Part Five of the Annex on Inspection Activities to the Protocol to the Treaty.

6. Tamper detection equipment shall be used only at the point of entry and shall not be brought to the inspection site. A member of the in-country escort shall be present when tamper detection equipment is used. Tamper detection equipment shall be removed from the territory of the inspected Party by the inspection team that brought such equipment.

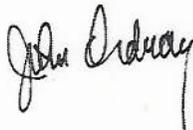
7. If it is detected that the tamper-proof containers have been tampered with, the inspection team leader shall, prior to the departure of the inspection team from the territory of the inspected Party, provide to a member of the in-country escort the data generated by the tamper detection equipment confirming the fact that the seal has been tampered with. A copy of such data shall be attached to the inspection activity report.

8. Without prejudice to the procedures described in paragraph 11 of Section VI of Part Five of the Annex on Inspection Activities to the Protocol to the Treaty, issues related to the detection of tampering with the tamper-proof containers shall be resolved by the Parties within the framework of the Bilateral Consultative Commission or by other agreed means.

9. This Agreement shall enter into force as of the date of signature and shall remain in force so long as the Treaty remains in force.

Done at Geneva on September 21, 2012, in two originals, each in the English and Russian languages, both texts being equally authentic.

Commissioner
of the United States of America to
the Bilateral Consultative
Commission



Commissioner
of the Russian Federation to
the Bilateral Consultative
Commission

