

**PROTOCOL ON THE JOINT COMPLIANCE AND INSPECTION COMMISSION  
RELATING TO THE TREATY BETWEEN THE UNITED STATES OF AMERICA  
AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE REDUCTION  
AND LIMITATION OF STRATEGIC OFFENSIVE ARMS**

Pursuant to and in implementation of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms, hereinafter referred to as the Treaty, the Parties hereby agree upon provisions governing the operation of the Joint Compliance and Inspection Commission, hereinafter referred to as the Commission, established pursuant to Article XV of the Treaty.

**I. Composition of the Commission**

1. Each Party shall communicate to the other Party the names of its designated Commissioner and Deputy Commissioner to the Commission. The Parties shall communicate to each other the names of the initially designated Commissioner and Deputy Commissioner to the Commission as soon as practicable, but in any case no later than 30 days after signature of the Treaty.

2. Each Party shall have the right to be represented at a session of the Commission by its Commissioner and Deputy Commissioner as well as by their alternates, and by members, advisors, and experts. A session of the Commission may be convened without the participation of the Commissioner and Deputy Commissioner. In such a case, any other individual provided for in this paragraph may be the head representative of a Party to a session of the Commission. *The Republic of Belarus, the Republic of Kazakhstan, the Russian Federation, or Ukraine may authorize any other of these Parties to represent its interests at a session of the Commission through the head representative of such other Party. Such authorization shall be provided in diplomatic notes to the representatives of all other Parties prior to the commencement of a session and shall state the subject matter, scope, and duration of the authorization.*<sup>1</sup>

3. *The head representatives of the United States of America, the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation, and Ukraine shall alternately preside over meetings during a session of the Commission, unless otherwise agreed during a session.*<sup>2</sup>

4. The Commission shall have the right to constitute working groups consisting of any of the individuals provided for in paragraph 2 of this Section for the consideration of specific questions raised in the Commission.

**II. Convening a Session of the Commission**

1. A session of the Commission shall be convened at the request of either Party. No later than 14 days after receiving such a request, the requested Party shall submit a response. Requests and responses shall include the following:

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<sup>1</sup> Annex 1, Paragraph 1.

<sup>2</sup> Annex 1, Paragraph 2.

- (a) the questions that the Party intends to raise;
- (b) the name of the head representative of the Party; and
- (c) the proposed or accepted date and location for the convening of the session.

Each Party may also submit additional questions to the other Party in the period from the submission of the initial response to the initial request until the convening of the session.

2. A session of the Commission shall be convened on the date agreed by at least two Parties, including the United States of America, but not later than 30 days after the date proposed in the request provided for in subparagraph 1(c) of Section II of this Protocol.<sup>1</sup>

3. A session of the Commission shall be convened in Geneva, Switzerland, or, as appropriate, in another place agreed by the Parties.

4. The Commissioner or Deputy Commissioner of each of the Parties may, without the convening of a session of the Commission, communicate with the Commissioner of the other Party in order to clarify any unclear situations or to resolve questions.

### III. Convening a Special Session of the Commission

1. A special session of the Commission shall be convened either at the request of the United States of America to address what it considers to be an urgent concern relating to compliance of the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation, or Ukraine with the obligations assumed under the Treaty, or at the request of the Republic of Belarus, the Republic of Kazakhstan, the Russian Federation, or Ukraine to address what it considers to be an urgent concern relating to compliance of the United States of America with the obligations assumed under the Treaty. All Parties shall have the right to participate in special sessions.<sup>2</sup> Such a request shall include, at a minimum, the following:

- (a) the nature of the concern, including the kind and, if applicable, the type of strategic offensive arms related to the concern;
- (b) the name of the head representative of the Party; and
- (c) the proposed date and location for the convening of the special session. The requesting Party may also propose in the request a specific method for resolving the concern. Such a method may include, but is not limited to, a visit with special right of access to the facility or location where, in the opinion of the requesting Party, the activity that caused the concern took place.

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<sup>1</sup> Annex 1, Paragraph 3.

<sup>2</sup> Annex 1, Paragraph 4.

2. No later than seven days after receiving such a request, the requested Party shall submit a response. Such a response shall include either:

- (a) acceptance of the proposed date and location for the convening of the special session; or
- (b) a proposal for an alternate date and location for the convening of the special session. The alternate date shall be no later than ten days after the date proposed by the requesting Party.

3. The response of the requested Party may also include:

- (a) acceptance of the proposed specific method for resolving the concern, including, if a visit with special right of access is planned, the proposed date, location, and procedures for such a visit; or
- (b) a proposal for a specific method for resolving the concern, including, if a visit with special right of access is planned, the proposed date, location, and procedures for such a visit.

If the Parties agree to a visit with special right of access or another method for resolving the concern, the Parties may agree not to convene the special session. Visits with special right of access may be conducted in accordance with the provisions of the Inspection Protocol, as applicable.

4. Either Party may request additional information related to the concern. A response to such a request shall be submitted no later than seven days after receipt of the request, but shall not affect the time for convening the special session of the Commission, if such a session is held.

5. A special session of the Commission shall remain in session for no more than 30 days.

#### **IV. Agenda**

1. The agenda for a session of the Commission shall consist of those questions that the Parties have included in the communications provided to each other in accordance with paragraph 1 of Section II of this Protocol.

2. Each Party shall have the right to raise in the Commission questions that arise immediately preceding or during a session of the Commission; provided, however, that consideration of such questions during the current session shall be subject to agreement of the Parties. In case of such agreement, the Parties shall allow sufficient time prior to consideration of such questions for preparation and any changes in the composition of their delegations that are required.

3. Sessions of the Commission shall be convened irrespective of the number of questions on the agenda.

## V. Work of the Commission

The work of the Commission shall be confidential, except as otherwise agreed by the Commission. *The Commission may record agreements or the results of its work in an appropriate document, which shall be done in five copies, each in the English and Russian languages, both texts being equally authentic.*<sup>1</sup> Such documents shall not be confidential, except as otherwise agreed by the Commission.

*The Parties agree that, after at least two Parties, including the United States of America, sign an agreement, the United States of America shall provide the text of the agreement to the Parties that did not sign the agreement. Each Party that has signed the agreement shall have the right to identify the agreement as one to which the provisions of subparagraph (c) of this Section shall not apply. The head representative of each Party that made such an identification shall, during the session of the commission at which the agreement was signed, provide to all Parties that have signed the agreement its reasons for making such identification. These reasons shall be provided by the United States of America to all Parties that have not signed the agreement when it provides the text of the agreement. Each Party that did not sign the agreement:*

*(a) shall express its consent to be bound by the agreement by providing a diplomatic note of acceptance to all other Parties no later than 30 days after receiving the text of the agreement; or*

*(b) shall provide the substance of any objections to that agreement to all other Parties in a diplomatic note no later than 30 days after receiving the text of the agreement. If a Party provides an objection, that Party shall attend the next session of the Commission, unless the objection is resolved before the next session convenes; or*

*(c) shall be considered to have expressed its consent to be bound by the agreement if it does not provide a diplomatic note pursuant to either subparagraph (a) or subparagraph (b) of this Section, provided that no Party that signed the agreement has identified that agreement, as provided for in this Section, as one to which the provisions of this subparagraph shall not apply.*

*Each agreement shall enter into force on the date when all Parties have consented to be bound by that agreement, unless a later date is agreed by all Parties. The Parties agree that the United States of America shall notify all other Parties by diplomatic note of the date of entry into force of each agreement.*<sup>2</sup>

*Parties that sign or otherwise consent to be bound by an agreement may, on a case-by-case basis, agree to temporary observance of that agreement, provided that the agreement does not alter the rights and obligations under the Treaty. Temporary observance shall remain in effect for an agreed period or until that agreement enters into force.*<sup>3</sup>

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<sup>1</sup> Annex 1, Paragraph 5.

<sup>2</sup> Annex 1, Paragraph 6.

<sup>3</sup> Annex 1, Paragraph 7.

**VI. Costs**

Each Party shall bear the cost of its participation in the work of the Commission.

**VII. Communications**

*Communications pursuant to this Protocol shall be provided through diplomatic channels; or shall be provided through the Nuclear Risk Reduction Center of the United States of America, and the Nuclear Risk Reduction Center of the Russian Federation or other equivalent continuous communications centers established by the Republic of Belarus, the Republic of Kazakhstan, or Ukraine. All requests, responses, and notifications required by this Protocol shall be provided by the pertinent Party to all other Parties.<sup>1</sup>*

**VIII. Additional Procedures and Provisional Application**

1. The Parties shall have the right to agree upon additional procedures governing the operation of the Commission.

2. The provisions of Article XV of the Treaty and the provisions of this Protocol shall apply provisionally from the date of signature of the Treaty for a 12-month period, unless, before the expiration of this period:

- (a) a Party communicates to the other Party its decision to terminate the provisional application of the provisions of Article XV of the Treaty and the provisions of this Protocol; or
- (b) the Treaty enters into force.

The Parties may agree to extend the provisional application for additional periods, subject to the same conditions specified in subparagraphs (a) and (b) of this paragraph.

3. The provisions of Article XV of the Treaty and the provisions of this Protocol shall apply provisionally in light of and in conformity with the other provisions of the Treaty.

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

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<sup>1</sup> Annex 1, Paragraph 8.

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

**FOR THE UNITED STATES OF AMERICA:**

George Bush  
President of the United States of America

**FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:**

M. Gorbachev  
President of the Union of Soviet Socialist Republics

