

DECISION

THE USE OF APPROVED EQUIPMENT DURING ON-SITE INSPECTIONS

The Conference

Recalling that The Commission in its PC-VIII/18, paragraph 7.3, adopted Attachment 3 to PC-VIII/B/WP.2 entitled "The Use of Approved Equipment During On-Site Inspections",

Bearing in mind that the Commission recommended in paragraph 56.3 of its Final Report that the Conference adopt the above mentioned document,

Hereby:

1. **Adopts** the document entitled "The Use of Approved Equipment During On-Site Inspections", annexed hereto.

Annex

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Annex

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1. Subject to the following provisions, inspection teams will have the right during an inspection to use approved equipment brought onto the inspection site:
 - (a) paragraphs 11 (d), 27 to 30, and Section E of Part II of the Verification Annex;
 - (b) the appropriate paragraphs of the applicable other Parts of the Verification Annex;
 - (c) the Confidentiality Annex, the OPCW Confidentiality Policy and the applicable related regulations;
 - (d) the OPCW Health and Safety Policy and the applicable related regulations; and
 - (e) the provisions stipulated in the facility agreement, if any.
2. Subject to paragraph 1 above, the approved equipment shall be operated in accordance with the regulations established by the Technical Secretariat.
3. The use of approved equipment by the inspection team in challenge inspection will be restricted, at the perimeter of the inspection site, only by considerations in paragraph 1 above, in particular those contained in Part X of the Verification Annex, and by the provisions contained in Article IX. The use of approved equipment by the inspection team in challenge inspection under managed access will be subject to negotiation and agreement between the inspected State Party and the inspection team. Subject to the provisions of Article IX and Part X of the Verification Annex, the negotiation will, inter alia, relate to:
 - (a) the types of approved equipment that the inspection team may use, if any;
 - (b) the mode of use of the approved equipment;
 - (c) any limitations on the use of the approved equipment in relation to specific areas, structures or buildings;
 - (d) other limitations on the use of the approved equipment, such as time limits for its use.
4. The inspected State Party shall have the right to take note of any information collected, or to receive copies of such information. That will not apply to systems software and other OPCW data, provided that they are located in a ROM or on media that prevent the possibility of recording information, and that are sealed and certified by the Technical Secretariat.

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¹ Contained in PC-VIII/B/WP.2, Attachment 3.