

AMENDMENT 2
TO THE AGREEMENT BETWEEN
THE DEPARTMENT OF DEFENSE OF THE UNITED STATES OF AMERICA
AND THE
MINISTRY OF ECONOMY AND EUROPEAN INTEGRATION
OF UKRAINE ISSUES
ON THE PROVISION OF ASSISTANCE TO UKRAINE IN ESTABLISHING AN
EXPORT CONTROL SYSTEM IN ORDER TO PREVENT THE
PROLIFERATION FROM UKRAINE OF WEAPONS OF MASS DESTRUCTION

The Department of Defense of the United States of America and the Ministry of Economy of Ukraine hereby agree to amend the Agreement between the Department of Defense of the United States of America and the Ministry of Economy and European Integration of Ukraine Issues on the Provision of Assistance to Ukraine in Establishing an Export Control System in Order to Prevent the Proliferation from Ukraine of Weapons of Mass Destruction of October 22, 2001 as amended (hereinafter referred to as "the Agreement") as follows:

1. To amend Article IV of the Agreement by adding the following new paragraph 4:

"4. Without prejudice to the rights of audit and examination according to Article X of the Agreement between Ukraine and the United States of America Concerning Assistance to Ukraine in the Elimination of Strategic Nuclear Arms, and the Prevention of Proliferation of Weapons of Mass Destruction of October 25, 1993 and in accordance with the national legislation of Ukraine and existing bilateral international agreements between Ukraine and the United States of America, the Ukrainian Party or its authorized Implementing Agents shall furnish the U.S. Party with the data collected relating to any detection of illicit trafficking or seizures of materials related to weapons of mass destruction with the help of equipment, technology or other materials provided by the U.S. Party.

The Ukrainian Party or its authorized Implementing Agents shall furnish an initial notification to the U.S. Embassy in Kyiv of such detection or seizure within 48 hours, followed by a complete data transfer within 30 days."

2. To amend Article V paragraph 2 of the Agreement by changing the words "fifteen million U.S. dollars" to "twenty-two million U.S. dollars."

The Amendment 2 shall enter into force upon signature by the Parties and shall remain in force for the duration of the Agreement.

DONE at Washington, this 27th day of June 2005, in duplicate, each in the Ukrainian and English languages, both texts being equally authentic.

FOR THE DEPARTMENT OF DEFENSE
OF THE UNITED STATES OF AMERICA

FOR THE MINISTRY OF
ECONOMY OF UKRAINE