



LETTER DATED 3 JUNE 1961 FROM THE PERMANENT REPRESENTATIVES OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

New York, 3 June 1961

We have the honour, on instructions from Her Majesty's Government in the United Kingdom and from the Government of the United States of America, to transmit the attached document, "Draft Treaty on the Discontinuance of Nuclear Weapon Tests", which was submitted jointly by the Delegations of the United Kingdom and the United States on 18 April 1961 at the 292nd meeting of the Conference on the Discontinuance of Nuclear Weapon Tests in Geneva.

In accordance with General Assembly resolution 1578 (XV) which, inter alia, "requests the States concerned in the Geneva negotiations: (a) To keep the Disarmament Commission periodically informed of the progress of their negotiations, (b) To report the results of their negotiations to the Disarmament Commission and to the General Assembly," we should be grateful if this letter and its enclosure could be circulated to all Members of the United States as a document of the General Assembly and of the Disarmament Commission.

(Signed) Sir Patrick Dean  
Permanent Representative of the  
United Kingdom to the United Nations

(Signed) Adlai E. Stevenson  
Permanent Representative of the  
United States to the United Nations

PRIVATE

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CONFERENCE ON THE DISCONTINUANCE OF NUCLEAR WEAPON TESTS

Draft Treaty on the Discontinuance of Nuclear Weapon Tests

Submitted by the Delegations of the United Kingdom and the United States  
at the 292nd meeting of the Conference

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Preamble

The Parties to this Treaty

Pursuing the aim of reducing international competition in armaments and in the development of new weapons of war,

Endeavoring to take a practical step towards the achievement of the objectives of the United Nations in the field of disarmament, including the eventual elimination and prohibition of nuclear weapons under effective international control and the use of atomic energy for peaceful purposes only

Desirous of bringing about the permanent discontinuance of nuclear weapon test explosions

Recognizing that the establishment and continuous operation of effective international control is essential to the achievement of this objective;

Hoping that all other countries will also join in undertakings not to carry out nuclear weapon tests and to ensure the satisfactory operation of that control throughout the world

Confident that a discontinuance of such tests under effective control will make possible progress toward agreement on measures of disarmament

Have agreed as follows:

Article 1

Obligations to Discontinue

1. Each of the Parties to this Treaty undertakes, subject to the provisions of this Treaty and its Annexes:

A. to prohibit and prevent the carrying out of nuclear weapon test explosions at any place under its jurisdiction or control; and

B. to refrain from causing, encouraging, or in any way participating in, the carrying out of nuclear weapon test explosions anywhere.

2. The obligations under paragraph 1 of this Article shall apply to all nuclear weapon test explosions except those underground explosions which are recorded as seismic events of less than magnitude 4.75.

Article 2

Establishment of Control Organization

1. For the purpose of assuring that the obligations assumed in this Treaty are carried out by the Parties, there is hereby established a Control Organization, hereinafter referred to as "the Organization", upon the terms and conditions set forth in this Treaty and the Annexes thereto.

2. Each of the Parties agrees to cooperate promptly and fully with the Organization established under paragraph 1 of this Article and to assist the Organization in the discharge of its responsibilities pursuant to the provisions of this Treaty and the provisions of any agreements which the Parties shall have concluded with the Organization.

Article 3

Elements of Control Organization

1. The Organization established under Article 2 of this Treaty shall consist of: a Control Commission, hereinafter referred to as "the Commission" a Detection and Identification System, hereinafter referred to as "the System"; a Chief Executive Officer, hereinafter referred to as "the Administrator"; and a Conference of Parties to the Treaty, hereinafter referred to as "the Conference".

2. The Headquarters of the Organization shall be located at Vienna.

Article 4

Composition of Control Commission\*

1. The Commission shall consist of the following Parties:

A. The Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, as original Parties to this Treaty and

B. Eight other Parties to the Treaty elected by the Conference as follows: Three Parties associated with the USSR two Parties associated with either the United Kingdom or the United States; three Parties not associated with any of the original Parties.

2. The Parties referred to in paragraph 1 B of this Article shall be elected and shall serve for a period of two years; they shall be eligible for re-election.

3. The Parties elected to the first elected Commission shall serve from the time of their election until the end of the third regular session of the Conference. The Parties elected at the third regular session of the Conference, and those elected biennially thereafter, shall serve from the end of the Conference at which they were elected until the end of the Conference which elects their successors.

4. Each member of the Commission shall have one representative.

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\*The above revised text is submitted in the context of the statements made by the United States and United Kingdom Representatives at the 274th, 286th, and 289th meetings, to the effect that the United States and United Kingdom Governments are prepared to accept the above text provided expressly, and not otherwise, that agreement is reached by this Conference upon a control system which is reliable, rapid and effective - such as is set forth in other articles and annexes of the present draft treaty proposal - and provided that agreement is reached upon all other treaty articles and annexes.



Article 5

Parties or Other Countries

Associated with the Original Parties

The determination whether a Party or other country is at any time to be regarded for the purposes of this Treaty as associated with any of the original Parties shall be made by the Preparatory Commission or by the Commission. However, in any case in which advice is jointly tendered by the three original Parties, the determination shall be made in accordance with that advice.

Article 6

Functions of the Control Commission

1. The Commission shall establish procedures and standards for the installation and operation of all elements of the System, and shall maintain supervision over the System to ensure its timely installation and effective operation in accordance with the terms of this Treaty and its Annexes. The Commission shall determine, after consultation with the Parties concerned, the extent to which existing launching, tracking, and data receiving and transmission facilities should be used in the installation and operation of the satellite systems.

2. A. The Commission shall appoint the Administrator; this appointment shall require the concurring votes of the original Parties.

B. (i) Subject to the approval of the Commission in each case, the Administrator shall appoint five Deputy Administrators, including one First Deputy Administrator who shall act in place of the Administrator in case of absence or vacancy.

(ii) Approval by the Commission of the appointment of the First Deputy Administrator shall require the concurring votes of the original Parties.

(iii) Appointment by the Administrator of two Deputy Administrators shall be made upon the recommendation, or with the approval of the Government of the USSR; appointment of the two other Deputy Administrators shall be made upon the recommendation, or with the approval, of the Governments of the United Kingdom and the United States.

C. The term of office of the Administrator shall be a period of three years. The initial term of office of the First Deputy

Administrator shall be a period of two years; subsequently, the term of office of the First Deputy Administrator shall be a period of three years. The term of office of the other Deputy Administrators shall be a period of three years.

D. The Administrator and the Deputy Administrators shall be eligible for reappointment. An Administrator or Deputy Administrator appointed to fill a vacancy which has occurred before the expiration of the term provided for by this Article shall hold office only for the remainder of his predecessor's term but shall be eligible for reappointment.

3. The Commission shall establish procedures for disseminating to all Parties and interested scientific organizations data produced by the System.

4. The Commission shall submit to the Conference an annual report and such special reports as the Commission deems necessary on the operation of the System and on the activities of the Commission and the Administrator in carrying on their respective responsibilities. The Commission shall also prepare for the Conference such reports as the Organization may make to the United Nations.

5. Except for the location of the Headquarters of the Organization, the Commission shall decide upon the location of components of the System. Such decisions shall be taken in agreement with the Party exercising jurisdiction or control over the territory on which the component is to be located. If any location recommended by the Commission should be unacceptable to the Party concerned, the Party shall provide, without undue delay, an alternative location which in the judgment of the Commission meets the requirements of the System, in accordance with the provisions of this Treaty and its Annexes.

6. The Commission shall lay down permanent flight routes, for use by special aircraft sampling missions, over the territory under the jurisdiction or control of each Party. Such flight routes shall be laid down in agreement with the Party concerned and in accordance with the standards set forth in Article 7 of Annex I. If a permanent flight route which the Commission desires to lay down should be unacceptable to the Party concerned, the Party shall provide, without undue delay, an alternative route which in the judgment of the Commission meets the requirements of the System.

7. The Commission may conclude agreements with any State or authority to aid in the carrying out of the provisions of this Treaty and its Annexes.

8. The Commission shall ensure that the most effective and up-to-date equipment and techniques are incorporated in the System and, to this end, shall ensure that an adequate research and development program is carried out.

9. The Commission shall establish procedures for the implementation of Article 13 on detonations for peaceful purposes.

10. In addition to the functions referred to in the preceding paragraphs of this Article, the Commission shall perform such other functions as are provided for in this Treaty and its Annexes.

Article 7

Procedures of the Control Commission

1. The Commission shall be so organized as to be able to function continuously.
2. The Commission shall meet at such times as it may determine, or within twenty-four hours at the request of any member. All members shall be notified in advance of meetings of the Commission. The meetings shall take place at the Headquarters of the Organization unless otherwise determined by the Commission.
3. The Commission shall adopt its own rules of procedure including the method of selecting its chairman.
4. Any Party to the Treaty which does not have a representative on the Commission may participate, without vote, in the discussion of any question brought before the Commission whenever the latter considers that the interests of that Party are specially affected.
5. Except as otherwise expressly provided in this Treaty, decisions of the Commission shall be made by a simple majority of the members present and voting. Each member of the Commission shall have one vote.

Article 8The Conference

1. The Conference consisting of representatives of Parties to this Treaty shall meet in regular annual session and in such special sessions as shall be convened by the Administrator at the request of the Commission or of a majority of Parties to the Treaty. The sessions shall take place at the Headquarters of the Organization unless otherwise determined by the Conference.

2. At such sessions, each Party to the Treaty shall be represented by not more than three delegates who may be accompanied by alternates and advisers. The cost of attendance of any delegation shall be borne by the State concerned.

3. The Conference shall elect a President and such other officers as may be required at the beginning of each session. They shall hold office for the duration of the session. The Conference, subject to the provisions of this Treaty, shall adopt its own rules of procedure. Each Party to the Treaty shall have one vote. Decisions on budgetary matters shall be made pursuant to Article 15 and decisions on amendments pursuant to Article 23. Decision on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a simple majority of the Parties to the Treaty present and voting.

4. The Conference may discuss any questions or any matters within the scope of this Treaty or relating to the powers and functions of any organs provided for in this Treaty and may make recommendations to the Parties or to the Commission or to both on any such questions or matters.

5. The Conference shall:

A. elect States to serve on the Commission in accordance with Article 4;

B. consider the annual and any special report of the Commission;

C. approve the budget recommended by the Commission in accordance with paragraph 1 of Article 15;

D. approve reports to be submitted to the United Nations as required by any relationship agreement between the Organization and the United Nations or return them to the Commission with the recommendations of the Conference;

E. approve any agreement or agreements between the Organization and the United Nations or other organizations as provided in Article 17. or return such agreement with its recommendations to the Commission for re-submission to the Conference;

F. approve amendments to this Treaty in accordance with Article 23.

6. The Conference shall have the authority:

A. to take decisions on any matter specifically referred to the Conference for this purpose by the Commission;

B. to propose matters for consideration by the Commission and request from the Commission reports on any matter relating to the functions of the Commission.

Article 9

Administrator and International Staff

1. The Administrator shall be the chief executive officer of the System and the head of the staff of the Organization. He shall be responsible to the Commission and, under its supervision, shall carry out its policy directives. He shall have executive responsibility for the installation and operation of the System under procedures and standards established by the Commission. He shall provide to the Commission such advice, reports and assistance as the Commission may request.

2. The Administrator and the staff shall not seek or receive instructions concerning the performance of their duties from any authority external to the Organization. They shall refrain from any action which might reflect on their status as international officials and employees responsible only to the Organization. Each Party undertakes to respect the international character of the responsibilities of the Administrator and staff and not to seek to influence them in the discharge of their duties.

3. Except as otherwise provided in this Treaty, the Administrator shall appoint, organize and direct the staff of the Organization in accordance with the following provisions:

A. The staff shall include such qualified scientific, technical and other personnel as may be required to carry out the functions of the Organization with the highest standards of efficiency, technical competence and integrity.

B. The staffing of individual components of the System shall be designed so as to ensure maximum operating efficiency.

C. In keeping with the foregoing stipulations, the staff of the Organization shall be recruited on as wide a geographical basis as possible from personnel recommended by, or acceptable to, the governments of the countries of which they are nationals and acceptable to the Administrator, subject to the following provisions:

(i) The permanent administrative, scientific and technical staff of the Headquarters of the Organization shall, as a whole and at all levels, be composed in equal proportions of nationals of the USSR,



nationals of the United Kingdom or the United States, and nationals of other countries. In cases where deputies, other than the Deputy Administrators, to senior officials of the Organization Headquarters are appointed, a national of the USSR shall have a deputy who is a national of the United Kingdom or of the United States, and a national of the United Kingdom or the United States shall have a deputy who is a national of the USSR.

(ii) In land control posts situated on territory under the jurisdiction or control of any of the original Parties, the scientific and technical staff of each post shall be composed in equal proportions of nationals of the USSR, nationals of the United Kingdom or the United States, and nationals of other countries. In the appointment of nationals of other countries, preference shall be given, subject to other provisions of sub-paragraph C of this Article, to nationals of countries exercising jurisdiction or control over territory upon which control posts are to be established.

(iii) In land control posts situated on territory under the jurisdiction or control of Parties other than the original Parties, no more than one-third of the scientific and technical staff of each post shall be composed of nationals of the country exercising jurisdiction or control over the territory on which the control post is situated.

(iv) The supporting and auxiliary staffs of each land control post shall, wherever possible, be composed of nationals of the country exercising jurisdiction or control over the territory on which the control post is located.

(v) The scientific and technical staffs of control posts on ships or in areas not under the jurisdiction or control of sovereign states and the members of the staff of the Organization selected by the Administrator for the purposes of paragraph 3 of Article 11 of Annex I shall be composed in equal proportions of nationals of the USSR, nationals of the United Kingdom or the United States, and nationals of other countries.

(vi) The chief or acting chief of each control post shall be a national of a country other than that exercising jurisdiction or control over a territory on which the control post is situated. If the country exercising jurisdiction or control over such territory is associated with an original Party, the chief or acting chief of the control post shall be a national of other than such original Party or a country associated with it.

(vii) The chief or acting chief of each control post situated on territory under the jurisdiction or control of the United States or the United Kingdom shall be a national of the USSR the chief or acting chief of each control post situated on territory under the jurisdiction or control of the USSR shall be a national of the United States or the United Kingdom.

(viii) The scientific and technical staffs of on-site inspection groups shall be composed of technically qualified personnel who are not nationals of the country exercising jurisdiction or control over the territory in which the event under investigation may have occurred. The Party exercising jurisdiction or control over such territory may designate one or more observers to accompany the inspection group.

(ix) The scientific and technical staff of any on-site inspection group despatched to conduct an inspection on territory under the jurisdiction or control of the USSR shall be composed of nationals of the United States or the United Kingdom the scientific and technical staff of any on-site inspection group despatched to conduct an inspection on territory under the jurisdiction or control of the United States or the United Kingdom shall be composed of nationals of the USSR.

(x) The USSR or the United Kingdom and the United States may authorize the Administrator to depart from the requirements of sub-paragraphs (i) through (ix) above, insofar as they concern the appointment of their respective nationals to scientific and technical staff positions, either in favor of the nationals of another Party or other Parties or without restriction. In each case, the original Party or Parties concerned shall

furnish the Administrator in writing with the authorization, including the period of its duration. Notwithstanding the authorization made under this paragraph, the nationals so appointed shall be considered, for the purposes of sub-paragraphs (i), (ii) and (v) to be nationals of the original Party authorizing the departure.

(xi) In making appointments under sub-paragraphs (i), (ii), (iii) and (v), the Administrator shall ensure that the administrative, scientific and technical staff of the Headquarters of the Organization, and the scientific and technical staff of each control post, shall be so composed that the total number of nationals of the USSR and of countries associated with it shall be equal to the total number of nationals of the United States and the United Kingdom and of countries associated with either of them.

(xii) Any adjustment to the proportions in sub-paragraphs (i), (ii) and (v) above, which may be unavoidable for practical reasons, shall be kept to the minimum, and a compensating adjustment shall, whenever possible, be made elsewhere in the System.

D. Regulations governing the appointment, remuneration and dismissal of staff shall be approved by the Commission.

4. The Administrator shall prepare for the Commission the budget estimates of the Organization.

5. The Administrator shall develop and arrange for the execution of a program of research and development for the continuing improvement of the equipment and techniques used in all components of the System, and shall from time to time make recommendations to the Commission regarding improvements to be incorporated in the System. The program may, with the approval of the Commission, include detonations performed to test the effectiveness of the System. Any nuclear detonations for this purpose shall be conducted under the procedures set forth in Article 13.

6. The Administrator shall prepare recommendations for approval by the Commission regarding:

A. specific sites for all components of the System

- B. specific flight patterns for routine air sampling flights;
- C. the number and base location of inspection groups;
- D. the equipping of all components of the System and the standards

and specifications which equipment to be used therein must meet.

7. A When special aircraft sampling missions are undertaken, the Administrator shall appoint two qualified members of the Organization staff to accompany each aircraft as technical operators. The technical operators shall, in accordance with the provisions of Article 7 of Annex I, verify the execution of the agreed flight plan; operate the sampling equipment; direct sampling operation; make appropriate arrangements for the safe delivery to the Organization of the samples collected; and report on the mission to the Administrator.

- B. (i) The technical operators shall not be nationals of
  - (a) any Party exercising jurisdiction or control over territory in which the event under investigation may have occurred, or of
  - (b) any original Party which may be associated with the Party in paragraph 7 B (i)(a) of this Article, or of
  - (c) any Party which may be associated with any original Party to which paragraphs 7 B (i)(a) or 7 B (i)(b) of this Article may refer;

nor, subject to the provisions of sub-paragraph B (ii), shall they be nationals of any Party exercising jurisdiction or control over territory in the air space over which samples may be taken.

(ii) On flights investigating events which may have occurred in territory under the jurisdiction or control of the USSR, the technical operators shall be nationals of the United Kingdom or the United States. On flights investigating events which may have occurred in territory under the jurisdiction or control of the United Kingdom or the United States, the technical operators shall be nationals of the USSR.

C. Any Party exercising jurisdiction or control over territory in which the event under investigation may have occurred or in the air space over which samples are to be taken may designate an observer to accompany the technical operators on the flight.

8. The Administrator shall determine when special aircraft sampling missions are required in accordance with the terms of Article 7 of Annex I and shall have authority to order the despatch of such missions. For missions whose purpose is the collection of samples over the territory of a Party or Parties, the Administrator shall select routes from among the permanent flight routes laid down by the Commission in accordance with paragraph 6 of Article 6; before despatch of the mission, the Administrator shall notify all Parties over whose territories it will fly and shall inform them of the routes selected.

9. The Administrator shall forward to the Commission within twenty-four hours after receipt all reports submitted to him by inspection teams and special aircraft missions, together with any relevant data and analyses.

10. The Administrator shall encourage and facilitate the participation by personnel of components of the System in programs of basic scientific research, to the extent that such participation would not interfere with their primary duties.

11. In addition to the functions referred to in the preceding paragraphs of this Article, the Administrator shall perform such other functions as are provided for in this Treaty and its Annexes.

Article 10

On-Site Inspection of Seismic Events

1. A. The Administrator shall certify immediately by public notice at the Headquarters of the Organization whenever he determines that an event eligible for on-site inspection in accordance with the provisions of Article 8 of Annex I has occurred. This certification shall include a specification of the time of origin and location of the seismic event, the area eligible for inspection (hereinafter referred to as the "certified area"), and the data and analysis upon which the determination of eligibility was made. The Administrator shall make every effort to make this certification within seventy-two hours after the occurrence of the event.

B. Whenever the Administrator is informed through the Organization that a seismic event of seismic magnitude of 4.75 or above which is located by the System has occurred, and if the event is not immediately rendered ineligible for on-site inspection in accordance with the provisions of Article 8 of Annex I, he shall <sup>immediately</sup> make public at the Headquarters of the Organization all data relating to such a seismic event which could be of assistance

(i) to any Party exercising its right to request an on-site inspection under paragraphs 2 and 3 of this Article, or

(ii) to the Commission in its decision whether to issue a directive under paragraph 4 of this Article.

The Administrator shall make every effort to make this data public within seventy-two hours after the occurrence of all events referred to in this sub-paragraph, except for those events which have subsequently been found ineligible for on-site inspection in accordance with sub-paragraphs 3 C and 3 D of Article 8 of Annex I.

2. A. If any portion of the certified area lies in territory under the jurisdiction or control of any of the original Parties, the Administrator shall immediately despatch an inspection group to carry out an on-site inspection of such portion of the certified area in accordance with Annex I, provided that:

(i) The USSR requests the inspection of such portion of the certified area which lies in territory under the jurisdiction or control of

the United Kingdom or the United States, and the current annual number of inspections for the Party liable to inspection is not exhausted, or

(ii) The United Kingdom or the United States requests the inspection of such portion of the certified area which lies in territory under the jurisdiction or control of the USSR and the current annual number of inspections for the USSR is not exhausted, and

(iii) The request for inspection is made to the Administrator not later than fifteen days after the Administrator has made public all data relating to the seismic event in question, as specified in paragraph 1 B of this Article.

B. An original Party requesting an on-site inspection pursuant to this paragraph shall simultaneously inform the other original Parties.

3. A. If any portion of a certified area lies in territory under the jurisdiction or control of a Party other than an original Party, any Party may, not later than fifteen days after the Administrator has made public at the Headquarters of the Organization all data relating to the seismic event in question as specified in paragraph 1 B of this Article, request the Commission to direct an on-site inspection of such portion of the certified area.

B. The Commission shall consider and decide upon any such request within forty-eight hours after its receipt. If a certified area lies in territory under the jurisdiction or control of more than one Party, other than an original Party, the Commission shall make a separate decision as to the inspection of that portion of the certified area on the territory of each Party concerned. If the current annual number of inspections of the Party liable to inspection is not exhausted, and if the Commission decides that the request to direct an on-site inspection

should be complied with, the Commission shall direct the Administrator to carry out an on-site inspection of the certified area lying in that Party's territory in accordance with Annex I.

C. If any portion of a certified area lies in territory under the jurisdiction or control of a Party represented on the Commission, that Party shall not participate in the decision as to the inspection of such portion of the certified area.

D. If any portion of a certified area lies in territory under the jurisdiction or control of a Party associated with an original Party, that original Party and Parties associated with it which are represented on the Commission shall not participate in the decision as to the inspection of such portion of the certified area.

4. A. If any portion of a certified area lies in an area not under the jurisdiction or control of any sovereign state, the Administrator shall decide whether to undertake an on-site inspection. The Administrator shall notify the Commission of his decision whether to undertake an on-site inspection and shall make every effort to do so within seventy-two hours after the occurrence of the event. After the Administrator notifies the Commission that he has decided to undertake an on-site inspection, he shall proceed to have the inspection carried out unless he is otherwise directed by the Commission within forty-eight hours of such notification.

B. The Commission may direct the Administrator to inspect a certified area not under the jurisdiction or control of any sovereign state, if the Administrator has not already proceeded to do so, not later than fifteen days after the Administrator has made public at the Headquarters of the Organization all data relating to the seismic event in question as specified in paragraph 1 B of this Article.

C. All on-site inspections under this paragraph shall be carried out in accordance with Annex I.

5. The number of on-site inspections which may be carried out in territory under the jurisdiction or control of each of the original Parties,



pursuant to paragraph 2 of this Article, shall be twenty inspections in each annual period.

6. A The number of on-site inspections which may be carried out in each annual period in territory under the jurisdiction or control of a Party other than an original Party, pursuant to paragraph 3 of this Article, shall be, with respect to each such Party, two, or such higher number as the Commission may, after consultation with the Party, determine by a two-thirds majority of those present and voting.

B. Pending the determination of a Party's number by the Commission, the provisional number for that Party shall be one inspection in each annual period for each 500,000 square kilometers or remaining fraction thereof of territory under its jurisdiction or control, except that for each Party the provisional number shall be at least two inspections in each annual period. Inspections carried out under a Party's provisional number shall be deducted from the number subsequently determined for that Party for the annual period in which such inspections were initiated. In the case of acceding Parties, the Preparatory Commission shall, after consultation with such Parties, promptly recommend, for subsequent approval by the enlarged Preparatory Commission an appropriate number of inspections to be carried out in each annual period within territory under the jurisdiction or control of such Parties.

7. The number of on-site inspections for each Party shall be reviewed by the Commission within three years after this Treaty enters into force and annually thereafter. In light of each such review, which shall take full account of practical experience in the operation of the System and of measures taken to maintain or improve its effectiveness, the Commission may fix revised numbers, provided that no number (A) shall be less than two, (B) nor less than twenty per cent of the average annual number of events of seismic magnitude 4.75 or above which are located by the System in accordance with paragraph 2 of Article 8 of Annex I, provided that when criteria for the identification of seismic events eligible for on-site inspection are agreed, no less than thirty per cent of the events remaining unidentified after the application of such criteria, occurring in territory under the jurisdiction or control of the Party to which the number relates. Such average annual number shall be based on data from control posts and research programs

undertaken by the Commission in accordance with the provisions of Article 6 for a period prescribed by the Commission.

8. The liability of a Party to on-site inspections pursuant to paragraph 2 or 3 of this Article shall commence from the date on which the Treaty enters into force for that Party. The annual period in which the number of on-site inspections for each Party may be carried out shall commence on the date of entry into force of the Treaty and thereafter on the anniversary of that date in each succeeding year. In the case of a Party which deposits its instrument of ratification or acceptance after the date of entry into force of the Treaty, the number of on-site inspections which may be carried out in territory under its jurisdiction or control in the period remaining before the next anniversary of the date of entry into force of the Treaty shall bear the same proportion to its number determined in accordance with paragraph 6 of this Article, as that period bears to one year, but shall not be less than two. If the number of on-site inspections calculated in accordance with the preceding sentence includes a fraction, that fraction shall, if it is smaller than one-half, be disregarded, or, if it is one-half or greater, be regarded as equivalent to one.

9. Notwithstanding any other provision of this Article, the Commission may direct the Administrator to carry out on-site inspection in territory under the jurisdiction or control of any Party either at the request of such Party or pursuant to an agreement made by such Party prior to or subsequent to signature of the Treaty. Inspections carried out under this paragraph shall not be deducted from a Party's number. Inspections carried out pursuant to paragraphs 2 and 3 of this Article shall take priority over inspections carried out under this paragraph.

10. The Administrator shall make available to all Parties to the Treaty within twenty-four hours after receipt all reports submitted to him by on-site inspection groups, together with any relevant data and analyses.

Article 11

Installation and Operation of the System in Parties' Territories

Each of the original Parties and all other Parties to this Treaty agree to accept on territory under their jurisdiction or control components of the System which is established on the basis of the "Report of the Conference of Experts to Study the Methods of Detecting Violations of a Possible Agreement on the Suspension of Nuclear Tests" of August 20, 1958, the "Report of the Technical Working Group on the Detection and Identification of High-Altitude Nuclear Explosions" of July 15, 1959, and the "Conclusion of Technical Working Group II Regarding Possible Improvements of Techniques and Instrumentation" of December 18, 1959, and shall be installed and shall operate in accordance with the provisions of this Treaty and its Annexes.

Article 12

Undertakings Concerning Co-operation with the System

1. Each of the Parties undertakes to assure that adequate and expeditious transportation is available from the point of entry, or within its territory, to the site of any element of the System or any area where an on-site inspection is to be conducted.

2. Each of the Parties undertakes to enter into appropriate arrangements with the Commission for the utilization of existing meteorological and commercial aircraft flights over ocean areas for routine air-sampling purposes.

3. Each of the Parties undertakes to enter into appropriate arrangements with the Commission to have aircraft immediately available for special flights, carried out pursuant to the provisions of Article 9 and Article 7 of Annex I, over territory under its jurisdiction or control or to permit such special flights by aircraft forming part of the System.

4. Each of the Parties undertakes to enter into appropriate arrangements with the Commission for the utilization of existing weather or geophysical exploration vessels for use as components of the System.

5. Each of the Parties undertakes to give inspection groups, despatched pursuant to the provisions of Article 10, immediate and undisputed access to the area in which an on-site inspection is to be conducted, to refrain from interference with any operation of an inspection group and to give such groups the assistance they may require in the performance of their mission.

6. Each of the Parties undertakes to enter into appropriate arrangements with the Commission: for the design, construction, and provision of necessary satellite vehicles; for the provision and use of launching sites and launching vehicles; for the establishment and

operation of stations to track satellites and to receive and analyze data from such satellites; and for the establishment and carrying out of a research program to measure background levels in space and to develop the necessary equipment and techniques to put effective space monitoring control systems into operation.

Article 13

Detonations for Peaceful Purposes

1. Each of the Parties to this Treaty undertakes to detonate, or assist others in the detonation of, nuclear devices for peaceful purposes only in accordance with the provisions of this Article. The detonations carried out pursuant to the provisions of this Article shall not be regarded as a violation of Article 1.

2. A Party intending to carry out or assist in such a detonation shall provide the Commission, at least four months in advance of the proposed detonation date, with a plan containing the following information.

A. The date, site and purpose of the proposed detonation;

B. The procedure it will follow to comply with paragraph 4 of this Article;

C. The expected yield of the device;

D. The measures to be taken to ensure that there will be no substantial fallout outside the immediate vicinity; and

E. The measurements to be taken and any experimentation to be conducted therewith.

3. Within two months after the receipt of the plan, the Commission shall authorize the Party to proceed with, or assist in, the proposed detonation, unless the Commission shall find that such detonation would not be carried out in accordance with paragraph 4 of this Article. If, as a result of observations at the proposed site, the Commission determines that there is a lack of compliance with paragraph 4, it shall immediately so notify the Party planning to conduct or assist in the detonation. The Party shall thereupon refrain from carrying out or assisting in the detonation until notified by the Commission that it has determined that the detonation will be carried out in accordance with paragraph 4.

4. Each of the original Parties shall be given an adequate opportunity at a designated inspection site to inspect externally and internally any nuclear device to be detonated pursuant to this Article and to examine detailed drawings of the device, provided that such detailed drawings may not be reproduced

or taken away from the inspection site. The device to be detonated shall, after inspection and reassembly, be under the continual surveillance of members of the Organization staff until detonation.

5. Members of the Organization staff shall, in addition to maintaining surveillance of the device to be detonated, observe all preparation for, and the actual firing of, the device and shall at all times have unrestricted access to the vicinity of the detonation to ensure that the device employed is the one provided in accordance with paragraph 4 of this Article.

6. Representatives of the original Parties shall be given adequate opportunity to accompany and to participate with members of the Organization staff in the exercise of their functions under paragraphs 4 and 5 of this Article.

7. The Commission may, with the concurring votes of the original Parties, provide for any other system of safeguards to ensure that nuclear detonations for peaceful purposes are carried out in accordance with the objectives of this Treaty.

Article 14

Periodic Review of the System

1. Three years after the coming into force of this Treaty, the Commission shall review the System established under this Treaty in order to:

A. evaluate its effectiveness for verifying compliance with the obligations set forth in Articles 1 and 13 of this Treaty;

B. determine in the light of experience and scientific progress whether any specific improvements should be made or new elements added to the System;

C. consider such measures to improve or maintain the effectiveness of the System as may be proposed by any Party to the Treaty in the light of experience in the operation of the Treaty.

2. The System may be reviewed by the Commission annually thereafter for the same purpose upon request of the Conference or any of the original Parties.



Article 15

Finance

1. Annual budget estimates for the expenses of the Organization shall be submitted to the Commission by the Administrator. After receipt of these estimates, the Commission shall submit a proposed budget to the Conference. The Conference may approve the budget as submitted or return it to the Commission with recommendations. If the budget is returned, the Commission shall then submit a further budget to the Conference for its approval.

2. The expenses of the Organization shall be borne by the Parties in accordance with a scale fixed by the Conference on the basis of recommendations submitted by the Commission as part of each annual budget. The annual contributions of the USSR and the United States shall be equal.

3. Any Party desiring to pay its assessments, in whole or in part, by supplying materials, services, equipment or facilities shall make its offer in writing to the Commission. Within ninety days after receipt of the offer, the Commission shall determine whether to accept the offer, in whole or in part, and shall notify the Party of its decision. The Commission shall not accept such an offer unless the materials, services, equipment or facilities offered by the Party meet the standards prescribed by the Commission and are readily usable.

4. Subject to the rules and limitations approved by the Conference, the Commission shall have the authority to exercise borrowing powers on behalf of the Organization without, however, imposing on the Parties to this Treaty any individual liability in respect of a loan or loans entered into pursuant to this authority.

5. Decisions of the Commission and of the Conference on all financial questions shall be made by a majority of those present and voting. However, decisions by the Commission on the scale of contributions to be recommended and on the total amount of each annual budget shall require the concurring votes of the original Parties.

Article 16

Privileges and Immunities

The privileges and immunities which the Organization, its staff and the representatives of Parties shall be granted by the Parties, and the legal capacity which the Organization shall enjoy in the territory of each of the Parties, shall be as set forth in Annex II of this Treaty.

Article 17

Relationships with Other International Organizations

1. The Commission, with the approval of the Conference, is authorized to enter into an agreement or agreements establishing an appropriate relationship between the Organization and the United Nations.

2. The Commission, with the approval of the Conference, shall arrange for the Organization to be brought into an appropriate relationship with any international organization which may in the future be established among any of the Parties to this Treaty to supervise disarmament and arms control measures.

Article 18

Annexes

The Annexes to this Treaty form an integral part of this Treaty.

Article 19

Parties to the Treaty

1. The essential Parties to this Treaty shall be:

A. the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, referred to herein as the "original Parties";

B. Any other State whose adherence is decided by the Commission to be necessary for the achievement of the fundamental Treaty purpose of securing an effectively controlled permanent discontinuance of nuclear weapon test explosions on a world-wide basis or to permit the installation of elements of control as required by the provisions of Annex I. If any State which is proposed to be the subject of a decision in accordance with the preceding sentence is associated with an original Party for the purposes of this Treaty, that original Party and any State associated with it for the purposes of this Treaty shall abstain from voting in the decision.

2. The signature and ratification or the acceptance of this Treaty by all the States designated in paragraph 1 A and any State whose adherence is decided to be necessary in accordance with paragraph 1 B shall be required for the fulfillment of the provisions of this Article.

3. Any other State desiring to adhere, whose adherence the Preparatory Commission or the Commission decides would contribute to the achievement of the purposes of this Treaty, may become a Party.

Article 20

Signature, Ratification, Acceptance and Entry into Force

1. This Treaty shall be open for signature by the states referred to in paragraph 1 A of Article 19. The signatory states shall become Parties to this Treaty by deposit of instruments of ratification.

2. Instruments of ratification and instruments of acceptance by states adhering pursuant to paragraphs 1 B and 3 of Article 19 shall be deposited with the Government of \_\_\_\_\_, hereby designated as Depositary Government.

3. Ratification or acceptance of this Treaty shall be effected by states in accordance with their respective constitutional processes.

4. This Treaty, apart from Annex III, shall enter into force when all the original Parties have deposited instruments of ratification thereof.

5. The Depositary Government shall promptly inform all signatory states of the date of deposit of each instrument of ratification and of each instrument of acceptance and the date of entry into force of this Treaty. The Depositary Government shall promptly inform all Parties of the dates on which states become Parties to this Treaty.

6. Annex III of this Treaty shall come into force on the day after this Treaty shall have been signed by the original Parties.

Article 21

Registration

1. This Treaty shall be registered by the Depositary Government pursuant to Article 102 of the Charter of the United Nations.
2. Agreements between the Organization and any Party to this Treaty or any other State or public international organization shall be submitted for registration by the Commission with the United Nations.

Article 22

Duration

This Treaty shall remain in force indefinitely subject to the inherent right of a Party to withdraw and be relieved of obligations hereunder if the provisions of the Treaty and its Annexes, including those providing for the timely installation and effective operation of the control system, are not being fulfilled and observed.



Article 23

Amendments

Amendments to this Treaty and its Annexes shall enter into force for all Parties to the Treaty when they have been adopted by a vote of two-thirds of the members of the Conference and ratified in accordance with their respective constitutional processes by two-thirds of the Parties to this Treaty, including all the original Parties.

Article 24

Authentic Texts

This Treaty, of which the English and Russian texts are equally authentic, shall be deposited in the archives of the Depositary Government. Duly certified copies of this Treaty shall be transmitted by the Depositary Government to the Governments of the other signatory States and to the Governments of States which become Parties to this Treaty pursuant to paragraphs 1 B and 3 of Article 19.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_,  
one thousand nine hundred and sixty-one.

ANNEX I

DETECTION AND IDENTIFICATION SYSTEM

Part I -- DESCRIPTION

Article 1

The System established in this Treaty shall include the features set forth herein which are derived from the "Report of the Conference of Experts to Study the Methods of Detecting Violations of a Possible Agreement on the Suspension of Nuclear Tests" of August 20, 1958, the "Report of the Technical Working Group on the Detection and Identification of High Altitude Nuclear Explosions" of July 15, 1959, and the "Conclusion of Technical Working Group II Regarding Possible Improvements of Techniques and Instrumentation" of December 18, 1959.

Article 2

1. The System shall, when completely established and unless otherwise decided in accordance with the provisions of this Treaty, consist of the following components: A headquarters, regional offices, land control posts and ship-based control posts, systems of satellites, radiochemistry laboratories, air and water sampling facilities, on-site inspection facilities, and communications facilities. Upon recommendation of the Administrator, the Commission may decide, with the affirmative votes of the original Parties, to add components as may be appropriate for detecting and identifying nuclear explosions.

2. The general characteristics of the System shall be as follows:

A. The land control posts shall be uniformly equipped with apparatus for the collection of radioactive debris and for the recording of acoustic waves, seismic waves, electromagnetic signals, fluorescence of the upper atmosphere, visible light, and cosmic noise absorption.

B. A number of control posts situated on islands or near the shore lines of oceans shall be equipped, in addition to the methods mentioned in paragraph 2 A of this Article, with apparatus for the recording of hydroacoustic

waves. Certain control posts in areas not covered by existing weather stations (e.g. Southern Hemisphere) shall include meteorological equipment and personnel necessary to obtain data on air mass movements in order to predict the course of any air mass suspected to contain debris from nuclear explosions.

C. Control posts located on ships, which shall be stationed within specified ocean areas, shall be uniformly equipped with apparatus for the collection of radioactive debris and for the recording of hydroacoustic waves, fluorescence of the upper atmosphere and visible light. The methods of recording electromagnetic signals and cosmic noise absorption may also be used on ships at the discretion of the Administrator.

D. Aircraft and vessels for air and water sampling operations shall be suitably equipped with apparatus for the collection of radioactive debris from the air and from the water.

E. On-site inspection groups shall be appropriately manned and equipped to carry out on-site inspections to determine the nature of unidentified events which could be suspected of being nuclear explosions.

F. Satellites in terrestrial and solar orbits shall be suitably equipped with apparatus for recording delayed and prompt gamma rays, X-rays, neutrons, and electrons trapped in the earth's magnetic field.

G. Suitably located ground stations shall be equipped to launch, track and to transmit to and receive data from satellites.

## Part II -- COMPONENTS

### Article 3

#### Headquarters

1. The Headquarters of the System shall include directorates for Administration, for Supply, for Technical Operations and for Field Operations. Technical Operations shall be comprised of a Research and Development Center and a Data Analysis Center which shall include a Central Radiochemical Laboratory. Field Operations shall be comprised of a Central Inspection Office, a Communications

Center and an Operations Center which shall include a Weather Center. Administration shall include offices for Finance and Personnel; and Supply shall include offices for System Construction and for Supply and Maintenance.

2. The Research and Development Center shall have the necessary professional staff and facilities to conduct, either directly or by contract, research and development programs for developing and improving equipment and techniques for detection and identification of nuclear explosions.

3. The Data Analysis Center shall have the necessary professional staff and facilities for evaluating all data received from components of the System. All data from the components of the System shall be reported directly to the Data Analysis Center, whose functions shall include:

A. To analyze all data received from all components of the System.

B. To determine and report strictly on the basis of this analysis the time and place of occurrence and the magnitude or equivalent yield of:

(i) an event for which the data is sufficient to establish its nature as a nuclear explosion.

(ii) an event which is identifiable on the basis of the data as a natural geophysical disturbance.

(iii) an event which is not identifiable on the basis of the data as natural and which therefore could be suspected of being a nuclear explosion.

C. To examine continuously the work of the components of the System to ensure the maintenance of a high degree of technical proficiency.

4. The Central Radiochemical Laboratory shall have the necessary professional staff and facilities to perform radiochemical and physical analyses of samples received from control posts, ships, aerial sampling centers or other components of the System. The Central Radiochemical Laboratory shall analyze the samples for fission products and other nuclides to confirm the origin of the debris as being from a nuclear detonation as opposed to some

other type of nuclear reaction. In addition, the Central Radiochemical Laboratory shall review for accuracy the findings of these components of the System concerning the characteristics and age of any nuclear debris involved. The Central Radiochemical Laboratory shall also be responsible for developing test procedures for use at field laboratories as required to ensure uniformity in analysis and measurement techniques throughout the System.

5. The Central Inspection Office shall have the necessary professional staff and facilities to direct on-site inspection of events which cannot be identified as natural events and which could be suspected of being nuclear explosions. The Central Inspection Office shall organize and maintain inspection groups on an alert basis and shall be responsible, when so directed, for the dispatch of these groups to areas designated for inspection as soon as possible following notification by the Administrator. For these purposes the Central Inspection Office shall be responsible for:

- A. Rapid development of a plan for movement of the inspection group to the area of the event in consultation with the Party or Parties exercising jurisdiction or control over territory in which the inspection is to take place;
- B. Rapid movement of inspection personnel and equipment to the area;
- C. Direction of the inspection groups and for the conduct of the inspection in the suspect area, including provisions for additional staff, equipment and supplies deemed necessary by the inspection group.

6. The Communications Center shall have the necessary professional staff and facilities to ensure rapid and reliable communications with control posts, ships, aerial sampling centers, regional offices, and satellite tracking stations. "Rapid and reliable communications" is defined as such a communications network as will ensure an exchange of accurate and complete messages with any of the components of the System within eight hours.

7. The Operations Center shall have the necessary professional staff and

facilities to control all field operations, excluding on-site inspection. The Operations Center shall control the launching and positioning of satellites, as well as the movement of aircraft, vessels, equipment and personnel which are deployed for the purpose of conducting air and water sampling operations. It shall maintain complete and current information on the operational status of each component of the System, including aerial sampling flights over the oceans and over territories under the jurisdiction or control of Parties to this Treaty. The Operations Center will ensure that steps are taken to maintain all components of the System at all times in a high state of operational readiness to perform their assigned functions.

8. The Weather Center shall have the necessary professional staff and facilities to prepare forecasts of air mass trajectories from any point at which a nuclear explosion is suspected to have occurred for use in vectoring aerial sampling flights to intercept these air masses. The Weather Center shall be provided by wire or radio with weather data from existing national weather networks under the control of the Parties. Appropriate arrangements shall be made for other national or international networks to supply weather data to the Weather Center by wire or radio. In addition, the Weather Center shall be provided with weather data from special weather detachments established in accordance with paragraph 2 B of Article 2 of this Annex.

#### Article 4

##### Regional Offices

1. Regional Offices shall be established as the Commission determines to be necessary for the effective administration and operation of the System.
2. Each Regional Office shall perform the following functions:
  - A. Provide logistic support to and administrative supervision over components of the System operating in its region;
  - B. Provide necessary support and administrative assistance to inspection groups operating in its region;

C. Maintain liaison with national and local authorities in its region in connection with its performance of the above functions and in particular to ensure the expeditious transportation and local support of inspection groups.

### Article 5

#### Land Control Posts

1. The network of control posts shall, when completely established include at least 170 land control posts. Unless otherwise determined under paragraph 2 below, the spacing between control posts shall be about 1700 kilometers in continental aseismic areas, about 1000 kilometers in continental seismic areas, and between 1000 and about 3500 kilometers in ocean areas.

2. The number of control posts to be installed in the USSR, United Kingdom and United States shall be as specified in Article 17 of this Annex. Except for the number of control posts to be installed in the USSR, United Kingdom and United States, the Commission shall determine, on the basis of the foregoing standards of spacing, the number of control posts to be installed in other territories under the jurisdiction or control of the original Parties and all territories under the jurisdiction or control of Parties other than the original Parties to the Treaty. With the approval of the Commission and of the Party concerned, the control posts may be arranged in an alternative distribution within territory under the jurisdiction or control of a Party if, in the view of the Commission, such a redistribution will result in an improvement in the capabilities of the System.

3. Specific sites for control posts shall be selected in a manner to give the maximum over-all capability to the System. The siting of individual control posts shall be determined primarily on the basis of the seismic requirement. However, in the event that two or more suitable seismic sites are found in the desired areas, a final selection of the location of the control posts shall be made with due consideration of siting requirements of the other methods



of detection set forth in Article 2 of this Annex. In the event that no control post location fulfilling seismic requirements is found that permits satisfactory operation of other detection equipment as set forth in this Annex, the Administrator may direct the installation of such equipment at a more favorable location. In the event that after a control post is established, the background seismic noise increases above acceptable limits due to human or other activity, the Administrator, after consultation with the Party, may direct that the control post may be moved to another location.

4. All land control posts shall maintain continuous operation of apparatus for the collection of radioactive debris and for the recording of fluorescence of the upper atmosphere, visible light, cosmic noise absorption, acoustic waves, seismic waves and electromagnetic signals. Control posts situated on islands or near the shore lines of oceans shall, in addition, maintain continuous operation of apparatus for the recording of hydroacoustic waves. In addition, equipment may be operated at certain land control posts to track and to transmit to and receive data from satellites.

#### Article 6

##### Ship-Based Control Posts

1. The network of control posts shall, when completely established, include a system of ship-based control posts, which shall be employed in ocean areas which do not contain suitable islands. There shall be a sufficient number of ships to maintain a capability for continuous operation of four stations each in the North Pacific and South Pacific Oceans and one station each in the North Atlantic and Indian Oceans.

2. Ship-based control posts shall maintain continuous operation of apparatus for the collection of radioactive debris and for the recording of hydroacoustic waves, fluorescence of the upper atmosphere and visible light. Equipment for recording electromagnetic signals and cosmic noise absorption may also be used on ships at the discretion of the Administrator.

Article 7

Air and Water Sampling Operations

1. Daily routine air sampling flights shall be conducted at several different altitudes over ocean areas in approximately a north-south direction near the sides of continents, as well as in the center of remote ocean areas such as the Central Pacific the Indian Ocean west of Australia and the North Atlantic Ocean, for the purpose of detecting nuclear explosions by the method of collecting radioactive debris.

2. Special aircraft sampling flights shall be conducted to search for a possible radioactive cloud for the purpose of collecting samples of radioactive debris within two to five days after the date of origin of the debris. Special sampling flights shall be initiated whenever fresh radioactive debris has been detected by a routine air sampling flight or by a control post or when acoustic signals recorded at control posts establish the time and position of a possible explosion in the atmosphere. In each instance, the flight routes of the aircraft shall be selected on the basis of meteorological trajectory forecasts from the location of the suspected event, and the aircraft shall search at several different altitudes.

3. Special aircraft flights undertaken over territory under the jurisdiction or control of Parties shall be conducted, on instruction of the Administrator in accordance with Article 9 of the Treaty, over permanent flight routes as set out by the Commission in accordance with Article 6 of the Treaty. Such permanent flight routes shall be laid down in advance in such number and geographical location that, according to meteorological data, interception of any cloud containing radioactive debris will be assured within two to five days of the suspected event. Sampling aircraft to be used over territory under the jurisdiction or control of Parties shall be located in or near permanent flight routes and shall be maintained in a high state of operational readiness to conduct the sampling flights directed by the Administrator.

4. Special aircraft flights over ocean areas shall be conducted from aircraft sampling centers distributed uniformly throughout the Northern and Southern Hemispheres. When the area to be covered by such flights is remote from any one of the centers, operations will be staged out of the nearest air field, and necessary supplies which cannot be procured locally will be air-lifted from the nearest center.

5. Water sampling operations, by ships and/or aircraft, shall be conducted for the purpose of collecting samples of water suspected of containing radioactive debris whenever hydroacoustic signals recorded at control posts establish the time and position of a possible underwater explosion. Suitably equipped aircraft and/or vessels shall be deployed in such a manner that water sampling operations can be conducted at the site of the event within four days after such operations are directed by the Administrator.

6. A. Radiochemical laboratories shall be located at each of the aerial sampling centers established in accordance with paragraph 4 above. Laboratories at aerial sampling centers shall be equipped to carry out all the necessary radiochemical analytical techniques required to determine the presence of fresh debris and to ascertain the date of origin of the debris with a precision consistent with the most modern radiochemical dating techniques. This shall be done by using as many dating techniques as sample-size and age of the debris permit.

B. Upon termination of a sampling flight, samples shall be assayed by suitable instruments, for example gamma spectrometers. Samples shall be divided in equal parts. One part shall be sent to the nearest radiochemical laboratory, and the other part shall be sent to the Central Radiochemical Laboratory for further analysis with an indication as to which are suspected of containing fresh fission products.

C. Water samples shall be assayed by suitable instruments as soon as practicable following sample collection, and those samples suspected of

containing fresh fission products shall be divided in equal parts. One part shall be sent to the nearest radiochemical laboratory and the other to the Central Radiochemical Laboratory for analysis.

### Article 8

#### Criteria for On-Site Inspection of Seismic Events

1. A seismic event which is located by the criteria in paragraph 2 of this Article and which is determined to be of seismic magnitude 4.75 or greater shall be eligible for on-site inspection unless rendered ineligible for inspection by the fulfillment of any of the criteria in paragraph 3 of this Article.

2. A seismic event shall be considered to be located when seismic signals, whose frequencies, amplitudes, durations, and velocities are consistent with those of the waves from earthquakes or explosions, are recorded at a sufficient number of control posts to establish the approximate time and position of the event. This requires at least four clearly measurable arrival times of identifiable phases which are mutually consistent to within plus or minus three seconds. These four consistent arrival times must include P-wave arrival times at three different control posts.

3. A located seismic event shall be ineligible for inspection if, and only if, it fulfills one or more of the following criteria:

A. its depth of focus is established as below sixty kilometers;

B. its epicentral location is established to be in the deep open ocean, and the event is unaccompanied by a hydroacoustic signal consistent with the seismic epicenter and origin time;

C. it is established to be a foreshock of a seismic event of at least magnitude 6 which has been clearly identified as an earthquake by the criteria in sub-paragraphs A and B above. For this purpose a "foreshock" is defined as one of a sequence of earthquakes which occurs less than forty-eight hours before the main shock and which has an epicenter within ten kilometers of the epicenter of the main shock;

D. it is established to be an aftershock of a seismic event of at least magnitude 6 which has been clearly identified as an earthquake by the criteria in sub-paragraphs A and B above. For this purpose, an "aftershock" is defined as one of a sequence of earthquakes which occurs less than one week after the main shock and which has an epicenter within ten kilometers of the epicenter of the main shock.

4. In cases where adequately precise regional travel time curves are available, and where consistent arrival times are available from control posts surrounding the epicenter, that is, from control posts at least one of which lies in every possible 90-degree sector around the epicenter, the area eligible for inspection will be 200 square kilometers. In cases where adequately precise regional travel time curves are not available, or where data from control posts lying in every possible 90-degree sector around the epicenter are not available, an area of 500 square kilometers shall be eligible for inspection. The area eligible for inspection shall be chosen so as to have the highest likelihood of containing the epicenter.

5. The basic data for all criteria shall be obtained from control posts.

6. Within three years after the entry into force of this Treaty and annually thereafter, the Commission shall review the provisions of this Article. Notwithstanding the provisions of Article 23, the Commission may at any time, with the concurring votes of the original Parties, amend the provisions of this Article. Such amendments shall be binding on all Parties to this Treaty.

Article 9

A Seismic Event Equal to or Greater than Magnitude 4.75

1. "A seismic event equal to or greater than magnitude 4.75" is a seismic event whose apparent magnitude  $M$  as measured by the formula  $M$  equals  $Q$  plus  $\text{LOG}(A/GT)$  is equal to or greater than 4.75 at one-half or more of the control posts which measure the quantity "A" and which are located at distances greater than 16 degrees and less than 90 degrees from the epicenter. The symbols in the formula  $M$  equals  $Q$  plus  $\text{LOG}(A/GT)$  are defined as follows:

A. "A" is one-half of the maximum peak positive to negative amplitude (displacement), expressed in microns in the record of the first five cycles of the P waves made by a short-period vertical-component seismograph with characteristics which will permit operation of single seismometers at quiet stations with magnification greater than ten to the sixth power at the frequency of peak response. "A" is measured if it exceeds three times the arithmetical mean of the ten greatest peak amplitudes of the noise oscillations recorded during the preceding two minutes. Noises, the periods of which differ from the signal period by not more than one and one-half times, are counted. The noise amplitude and period are determined by the same procedure as for the signal.

B. "T" is the time, measured in seconds, between the first of the peaks used in determining "A" and the next following peak of the same sign.

C. "G" is the steady state magnification of the seismograph at period T.

D. "Q" is given as a function of distance in the following table:

Part III - DATA REPORTING AND EVALUATION

Article 12

1. All components of the System shall immediately examine all records obtained. When data which meet criteria established by the Headquarters of the System are observed, they shall be reported by wire or radio to the Data Analysis Center. All components of the System shall provide additional data to the Center upon its request. In addition, all original data and records obtained by all components of the System shall be forwarded expeditiously to the Headquarters of the System. Reliable electronic transmission of data and frequent collection of records and materials by aircraft shall be incorporated in the reporting system.

2. The equipment at control posts, ships, satellite tracking and data transmitting and receiving stations, and air and water sampling centers shall be examined periodically by technical personnel from the Headquarters of the System for the purpose of ensuring the validity of the data transmitted from these components to Headquarters.

Part IV -- SUPPORT FACILITIES

Article 13

Communications

The System shall have rapid and reliable communications between its components and Headquarters and shall have the right to install, maintain and operate communications facilities, including radio networks, using existing channels when they are suitable for this purpose. The network must be capable of ensuring an exchange of accurate and complete messages between the Headquarters and any component of the System within eight hours. Provisions shall be made for the receipt of standard time signals by all components of the System which record geophysical data. Provisions shall also be made for transmission to the System Headquarters of all weather data required by the Weather Center as set forth in paragraph 8 of Article 3 of this Annex.

DISTANCE	Q	DISTANCE	Q	DISTANCE	Q
16 Degrees	5.9	41 Degrees	6.5	66 Degrees	7.0
17	5.9	42	6.5	67	7.0
18	5.9	43	6.5	68	7.0
19	6.0	44	6.5	69	7.0
20	6.0	45	6.7	70	6.9
21	6.1	46	6.8	71	6.9
22	6.2	47	6.9	72	6.9
23	6.3	48	6.9	73	6.9
24	6.3	49	6.8	74	6.8
25	6.5	50	6.7	75	6.8
26	6.4	51	6.7	76	6.9
27	6.5	52	6.7	77	6.9
28	6.6	53	6.7	78	6.9
29	6.6	54	6.8	79	6.8
30	6.6	55	6.8	80	6.7
31	6.7	56	6.8	81	6.8
32	6.7	57	6.8	82	6.9
33	6.7	58	6.8	83	7.0
34	6.7	59	6.8	84	7.0
35	6.7	60	6.8	85	7.0
36	6.6	61	6.9	86	6.9
37	6.5	62	7.0	87	7.0
38	6.5	63	6.9	88	7.1
39	6.4	64	7.0	89	7.0
40	6.4	65	7.0	90	7.0

Article 10

Inspection Groups

1. Inspection groups shall be established and maintained to conduct on-site inspections as directed by the Administrator. They shall be based at a number of locations sufficient to insure prompt arrival and logistical support at the site of any unidentified continental or maritime event. Inspection groups shall be responsible for the collection and preliminary evaluation of evidence concerning the nature of the event in question. They shall remain in the inspection area until recalled by the Administrator.

2. Each inspection group shall be staffed with scientific, technical and other personnel qualified to perform the duties required in the conduct of an on-site inspection.



3. Each inspection group shall, when dispatched, conduct any inspection directed by the Administrator in a prompt and efficient manner and shall be authorized to:

A. Establish a local base of operations.

B. Establish and maintain communications with its permanent base, the Central Inspection Office, and, as required, other components of the System.

C. Consult with local officials and individuals.

D. Conduct low-altitude aerial inspection of the area eligible for inspection, utilizing such techniques as may be necessary for this purpose, including, but not limited to, photographic, electromagnetic, magnetic, infrared and radioactivity surveys.

E. Conduct surface and subsurface inspection in the area eligible for inspection for all evidence which may in any way relate to the nature of the event, utilizing such techniques as may be necessary for this purpose, including, but not limited to, drilling for radioactive samples for scientific analysis.

F. Utilize such other means of investigation on site as would be likely to produce relevant data.

4. Each inspection group shall submit to the Administrator periodic progress reports during the course of any inspection and a final report upon the conclusion of the inspection operation. Copies of these reports shall be sent to the Party or Parties exercising jurisdiction or control over the territory in which the inspection is being or has been carried out.

5. Each inspection group shall have available for its use the technical apparatus and facilities necessary for the performance of a prompt and efficient inspection operation. Such apparatus and facilities shall include, but shall not be limited to, the following:

A. Portable seismographs for recording aftershocks, geophysical equipment for seismic profiling, detection equipment for locating metallic articles, radiation detectors, equipment for collecting radioactive samples on the surface, drilling equipment for obtaining underground radioactive samples, portable laboratory equipment for field radiochemical analysis, and photographic equipment.

B. Appropriate surface and air transport for rapid movement to an inspection area along routes prescribed by the host country, and for the operation and logistics of the inspection group.

C. Appropriate aircraft for the conduct of low-altitude aerial reconnaissance of the inspection area for evidence of the nature of the event in question.

D. Appropriate vessels for the conduct of inspection of maritime events.

E. Technically suitable and reliable communications equipment to establish and maintain contact with its permanent base of operations, the Central Inspection Office, and, as required, other System components.

#### Article 11

##### High Altitude Systems

1. The high altitude systems, which are based upon the recommendations contained in the "Report of the Technical Working Group on the Detection and Identification of High Altitude Nuclear Explosions", of July 15, 1959, are established for the purpose of providing, when in effective operation, a level of capability not less than that estimated by the Technical Working Group in sections A and B of their Report. The techniques and instrumentation for the detection and identification of nuclear explosions at high altitudes shall comprise apparatus installed at control posts and ground stations as specified in Articles 2, 5 and 6 of this Annex, together with satellite systems.

Satellite systems shall be so positioned in orbits as to provide maximum capability for detecting nuclear explosions as follows:

A. One or more satellites (trapped-electron satellites) placed in an appropriate terrestrial elliptical orbit and suitably instrumented with counters for recording electrons trapped in the earth's magnetic field. A satellite shall be replaced when it can no longer record or transmit the required data to ground stations.

B. At least six satellites (far-earth satellites) placed in terrestrial orbits at altitudes of more than 30,000 kilometers so as to be continuously

outside the earth's trapped radiation belts. Three of the satellites shall be nearly equally spaced in the same orbital plane, and three satellites shall be similarly placed in a second orbital plane positioned at approximately right angles to the first. Each satellite shall be suitably equipped with instruments for recording prompt and delayed gamma rays, X-rays, and neutrons. A satellite shall be replaced when it can no longer record and transmit to ground stations the required data from any three of the four methods of detection as set forth in this sub-paragraph. In addition, satellites shall be replaced when the System

- (i) no longer provides complete surveillance of the earth, or
- (ii) no longer provides surveillance in all directions in space lying outside the orbits of the System's component satellites by means of the X-ray detection method from at least three satellites.

C. At least four satellites (solar satellites) placed in appropriate solar orbits and suitably equipped with instruments, including those for recording X rays. A satellite shall be replaced when it can no longer record and transmit to ground stations the required data on X-ray signals.

2. Each satellite requiring replacement shall be replaced as rapidly as possible.

3. Each satellite shall carry apparatus for verifying the performance of its equipment. Each satellite shall be inspected immediately prior to launching to ensure its instruments meet the detection requirements and that the satellite includes nothing which might interfere with the performance of its equipment. After inspection, the launching of each satellite shall be observed. This inspection and the subsequent observation of the launching of the satellite shall be performed by members of the staff of the Organization selected by the Administrator in accordance with the principles set forth in sub-paragraph 3 C (v) of Article 9.

Article 14

Supplies and Services

1. The System Headquarters shall manage resources of the System for supplies and services by such means as: establishing procurement, construction and transportation criteria; publishing instructions for operation and maintenance of equipment; receiving and processing supply and maintenance reports from the elements of the System and establishing specification and performance standards for equipment.
2. The System Headquarters shall ensure that technical equipment meets required performance standards before authorizing acceptance of the equipment for use in the System.
3. Maximum use shall be made of sources of supply of non-technical equipment indigenous to the area where facilities of the System are located. Support equipment and supplies shall be locally procured where possible by the Regional Offices or control posts.

Article 15  
System Phasing

The controls provided for in this Treaty shall be progressively extended, and the components of the System installed in three phases, in order to achieve and ensure world-wide compliance with the obligations of this Treaty. The sub-phases of Phase I shall begin within three months after the Treaty enters into force. Sub-Phase I-A shall be completed within two years after the Treaty enters into force. Sub-Phase I-B shall be completed within four years after the Treaty enters into force. Phase II shall begin within one year after the Treaty enters into force, and shall be completed within five years after the Treaty enters into force. Phase III shall begin within two years after the Treaty enters into force and shall be completed within six years after the Treaty enters into force. Each control post and each other facility shall be put into operation, in whole or in part, as it is installed, and the System shall be fully operational within six years after the Treaty enters into force. The Commission may, however, decide, with the affirmative votes of the original Parties, to postpone, add to, or refrain from establishing any part of Phases I, II and III.

Article 16  
Phasing of Headquarters

The Headquarters of the System shall be established at the beginning of Phase I and shall be expanded through Phase I and subsequent phases as required to provide effective administration and operation of the System.

Article 17  
Control Post Phasing

Land control posts and control posts on ships shall be established as follows:

	Phase I		Phase II	Phase III
	A	B		
USSR	9	9	-	-
U.S.	6	4	-	-
U.K.	1	-	-	-
Oceanic Islands	20	-	16	24
Ships	10	-	-	-
Australia	-	-	4	3
Asia (Non-USSR)	-	-	21	-
Europe (Non-USSR)	-	-	3	-
North America and Greenland	-	-	14	-
Africa	-	-	7	9
South America	-	-	6	10
Antarctica	-	-	-	4
	<hr/>	<hr/>	<hr/>	<hr/>
	46	13	71	50

Article 18

Aircraft Sampling Phasing

Aircraft sampling facilities shall be established and made fully operational within two years after the Treaty enters into force.

Article 19

Satellite Systems Phasing

Subject to the provisions of Article 11 of this Annex, satellite systems shall be installed as follows:

	Phase I		Phase II	Phase III
	A	B		
Trapped Electron Satellites	1	-	-	-
Far-Earth Satellites	-	6	-	-
Solar Satellites	-	-	-	4
	<hr/>	<hr/>	<hr/>	<hr/>
	1	6	-	4

Article 20

Inspection Group Phasing

Inspection groups shall be established from the beginning of Phase I. A sufficient number of groups shall be maintained to carry out inspections at any time in the numbers which, in accordance with the terms of this Treaty and its Annexes, may currently be required.

Article 21

Communications Phasing

A survey of communications requirements shall be performed at the beginning of each phase. Elements of the communications system shall be timed to be operational so as to ensure rapid and reliable communications for each control post or other component of the System as soon as such post or other component becomes operational.

Annex II

Privileges and Immunities

Article 1

Definitions

In this Annex:

- (1) The expression "representatives of Parties to this Treaty" includes representatives on or to any organ of the Organization established under the provisions of this Treaty, including the Conference, together with the members of their official staffs.
- (2) The expression "representatives of Parties to this Treaty on the Control Commission" includes all members of the official staffs of such representatives except those whose duties are clerical. For the purpose of this Annex such clerical personnel shall be deemed to come within the class of persons referred to in sub-paragraph (1) of this Article.
- (3) The expression "members of the Organization staff" includes the Administrator and all the employees of the Organization.
- (4) The term "expert" shall mean an individual performing a mission on behalf of the Organization either at the headquarters of the Organization or in the territory of a Party to this Treaty.
- (5) The term "host government" shall mean the government of the country in which the headquarters of the Organization is located.

Article 2

Juridical Personality

- A. The Organization shall possess juridical personality. It shall have the capacity (a) to contract, (b) to acquire and dispose of property, (c) to institute and defend legal proceedings.
- B. The Organization may provide for suitable identification of ships and aircraft employed on the official service of the Organization.



Article 3

Property, Funds and Assets

A. The Organization, its property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case the Commission, on behalf of the Organization, has expressly waived this immunity, but such express waiver of immunity shall not extend to any measure of execution or detention of property.

B. The premises of the Organization shall be inviolable. The property and assets of the Organization, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

C. The archives of the Organization and all documents belonging to it or held by it or by its staff or experts on its behalf shall be inviolable wherever located.

D. The Organization, without being restricted by financial controls, regulations or moratoria of any kind, may, subject to the obligation to give effect as far as is practicable to representations made to it by any Party, exercise the following rights:

- (1) To hold currency of any kind and operate accounts in any currency;
- (2) To transfer its funds freely from, to, or within any country Party to this Treaty and convert any currency held by it into any other currency.

E. The Organization, its assets, income and other property shall be:

- (1) Exempt from all direct taxes except those taxes which are in reality a charge for specific services;
- (2) Exempt from all customs duties, prohibitions and restrictions on imports and exports in respect of articles imported or exported by the Organization for its official use; articles imported under such exemption shall not be disposed of, by sale or by gift, in the country into which they are imported except under conditions approved by the Government of that country;
- (3) Exempt from all customs duties, prohibitions and restrictions on imports and exports in respect of its publications.

F. The Organization shall be exempt from taxes imposed directly on its expenditure transactions but not exempt from those taxes which are in reality a charge for specific services.

#### Article 4

##### Communications

A. Each Party shall take appropriate steps necessary to ensure that its domestic and international telecommunication services accord to telecommunications of the Organization treatment at least equal to government telecommunications with respect to priority of transmission, and accord these telecommunications higher priority, i.e., special priority as accorded to the United Nations Organization in emergencies, when requested, and that rates charged shall be no higher than minimum government rates. Postal communications shall be handled in the most expeditious manner possible.

B. No censorship shall be applied to the official correspondence and other official communications of the Organization.

C. The Organization shall have the right to use codes known to all Parties and to despatch and receive by courier or in sealed bags only official correspondence, other official communications, and objects intended for official use. Such couriers and sealed bags shall have the same immunities and privileges as diplomatic couriers and bags.

D. Nothing in paragraphs B and C of this Article shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a Party and the Organization.

#### Article 5

##### Representatives of Parties to this Treaty

A. Representatives of Parties to this Treaty on the Control Commission shall enjoy, in the territory of the host government, the same privileges and immunities as the host government accords diplomatic envoys accredited to it.

B. Representatives of Parties to this Treaty on the Control Commission shall enjoy, while present in the territory of another Party in the discharge of Commission duties, the same privileges and immunities as the Party accords diplomatic envoys accredited to it.

C. Representatives of Parties to this Treaty shall enjoy, while present in the territory of the host government and while in the territory of another Party in the discharge of their official duties and during their journey to and from the place of meeting, the following privileges and immunities:

- (1) Immunity from arrest, detention or any legal process with respect to words spoken or written and acts done by them in their official capacity;
- (2) Inviolability for all their official papers and documents;
- (3) The right to use codes, couriers, and sealed bags in communicating with their Governments, their staffs and with the Organization;
- (4) The same exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration and national service obligations as is accorded to comparable categories of the staffs of diplomatic missions;
- (5) The same facilities with respect to currency or exchange restrictions as are accorded to comparable categories of the staffs of diplomatic missions;
- (6) The same immunities and facilities with respect to their personal baggage as are accorded to comparable categories of the staffs of diplomatic missions;
- (7) The right to import free of duty their furniture and effects at the time of first arrival to take up their posts in the territory of a Party and, on the termination of their functions there, to re-export such furniture and effects free of duty; furniture and effects so imported shall not be disposed of, by sale or by gift, in such territory except under conditions approved by the Government thereof.

D. A representative to whom this Article applies shall, during any period when he is present in the territory of another Party for the discharge of his duties, be exempt from taxation on his official salary and emoluments, and where the legal incidence of any other form of taxation depends upon residence, any such period shall, for the purposes of determining his liability to taxation, be treated as not being a period of residence in that territory.

E. The Administrator shall communicate to the Parties concerned the names of the representatives and members of their official staffs to whom paragraph B of this Article applies and the probable duration of their stay in the territories of such other Parties.

F. The privileges and immunities accorded under paragraphs A, B, and C are not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connexion with the Organization. Consequently, a Party not only has the right, but is under a duty

to waive the immunity of its representatives and their staffs in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the purposes for which the immunity is accorded.

G. The provisions of paragraphs A to E above shall not require any Party to grant any of the privileges or immunities referred to therein to any person who is its national or any person who is its representative or is a member of the staff of such representative.

## Article 6

### Organization Staff and Experts

A. The Administrator and the deputies of the Administrator shall be accorded the privileges and immunities normally accorded to diplomatic envoys.

B. All other members of the Organization staff shall be accorded the following privileges and immunities:

(1) Immunity from arrest or detention whenever assigned to a control post, an inspection group, or a routine or special flight; and at all times immunity from arrest, detention or any legal process with respect to words spoken or written and acts done by them in the performance of their official functions;

(2) The same facilities with respect to currency or exchange restrictions as are accorded to comparable categories of the staffs of diplomatic missions;

(3) The same immunities and facilities with respect to their personal baggage as are accorded to comparable categories of the staffs of diplomatic missions;

(4) The same exemption from immigration restrictions, aliens' registration and national service obligations for themselves, their spouses and members of their immediate families residing with them and dependent on them as is accorded to comparable categories of the staffs of diplomatic missions;

(5) The same repatriation facilities in time of international crisis for themselves, their spouses and members of their immediate families residing with them and dependent on them, as are accorded to comparable categories of the staffs of diplomatic missions;

(6) The right to import free of duty their furniture and effects at the time of first arrival to take up their posts in the territory of a Party and, on the termination of their functions there, to re-export such furniture and effects free of duty; furniture and effects so imported shall not be disposed of, by sale or by gift, in such territory except under conditions approved by the Government thereof.

C. Every expert performing a mission for the Organization either at the headquarters of the Organization or in the territory of a Party shall be accorded the following privileges and immunities:

(1) Immunity from arrest or detention;

(2) Immunity from legal process in respect to words spoken or written and acts done by him in the performance of his official functions;

(3) The same exemption from immigration restrictions, aliens' registration and national service obligations as is accorded to comparable categories of the staffs of diplomatic missions;

(4) Immunities and privileges specified in items (2) and (3) of paragraph B of this Article.

D. Every member of the Organization staff and every expert shall be exempt from taxation on the salaries and emoluments paid to him by the Organization.

E. The Administrator shall keep the Parties currently informed as to each individual to whom any of the foregoing paragraphs of this Article is applicable. A Party shall always be entitled to notification of the name and responsibility of any such individual before his arrival for official duties in the territory of that Party, so that it may have an opportunity to comment to the Administrator upon the proposed assignment of such expert or member of the Organization staff.

F. Privileges and immunities are granted to members of the Organization staff and to experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Administrator shall have the right and the duty to waive the immunity of any such individual in any case where the immunity would impede the course of justice and can be waived without prejudice to the interests of the Organization. In the case of the Administrator his immunity may be waived by the Commission provided the Commission finds the immunity would impede the course of justice and can be waived without prejudice to the interests of the Organization.

G. The provisions of paragraphs A to D inclusive above shall not require any Party to grant any of the privileges or immunities referred to therein to any person who is its national, except:

- (1) Immunity from arrest, detention or any legal process with respect to words spoken or written and acts done by him in the performance of his official functions for the Organization;
- (2) Facilities with respect to currency or exchange restrictions so far as necessary for the effective exercise of his functions.

#### Article 7

##### Abuses of Privileges

A. The Organization shall at all times cooperate with the appropriate authorities of Parties to facilitate the proper administration of justice, secure the observance of police regulations, and prevent the occurrence of an abuse of the privileges and immunities set out in this Annex.

B. If any Party considers that there has been an abuse of the privilege of residence in its territory or of any other privilege or immunity granted by this Annex, the following procedure shall be adopted:

(1) In the case of an abuse by the Administrator, consultations shall be held between the Party and the Commission to determine the action to be taken.

(2) In the case of an abuse by any individual referred to in paragraphs (1) or (2) of Article 1, the Party which considers that there has been an abuse may, after consultation with the Party whose representative is concerned and in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to the former Party, require the representative to leave its territory.

(3) In the case of an abuse by any individual referred to in paragraphs B and C of Article 6, the Party which considers that there has been an abuse, after consultation with the Administrator and, in the event of disagreement, with the Commission, require the Administrator to arrange for an immediate replacement.

#### Article 8

##### Laissez-Passer

A. Members of the staff of the Organization and experts on missions on behalf of the Organization shall be entitled to use a special laissez-passer procedure modelled on the United Nations laissez-passer procedure, to be evolved by the Administrator pursuant to regulations approved by the Commission.

B. Parties shall recognize and accept the Organization laissez-passer issued to members of the staff of the Organization and to experts on missions on behalf of the Organization as valid travel documents.

C. Members of the staff of the Organization and experts travelling on the Organization laissez-passer on the business of the Organization, shall be granted the same facilities for travel as are accorded to comparable categories of the staffs of diplomatic missions.

#### Article 9

##### Interpretation and Supplementary Agreements

A. The provisions of this Annex shall be interpreted in the light of the functions with which the Organization is entrusted by this Treaty and its Annexes.

B. The provisions of this Annex shall in no way limit or prejudice the privileges and immunities which have been, or may hereafter be, accorded to the Organization by a State by reason of the location, in the territory of that State, of the headquarters or other components and agencies of the Organization. The Organization may conclude with any Party or Parties agreements supplementing the provisions of this Annex, so far as that Party or those Parties are concerned.

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Annex III

The Preparatory Commission

A. A Preparatory Commission, consisting of one representative from each of the original Parties to this Treaty, shall come into existence on the day after this Treaty shall have been signed by all the original Parties. The Preparatory Commission shall remain in existence until the Control Commission has been elected in accordance with Article 4 of this Treaty.

B. Except as provided in Section E of this Annex, the Preparatory Commission shall take decisions by agreement among the three original Parties, adopt its own rules of procedure, meet as often as necessary and determine its own place of meeting. It shall appoint an executive secretary and such staff as shall be necessary, who shall exercise such powers and perform such duties as the Preparatory Commission may determine.

C. The expenses of the Preparatory Commission may be met by a loan provided by the United Nations or by advances from governments. The repayment of loans shall be included as an item in the budget for the Control Organization's first financial period. The Preparatory Commission shall make the necessary arrangements with the appropriate authorities of the United Nations for repayment of the loan. Advances from governments may be set off against assessments of the governments concerned levied in accordance with the provisions of Article 15.



D. Pending deposit of instruments of ratification of the Treaty by all the original Parties, the Preparatory Commission shall:

1. conduct preliminary technical studies and consultations with regard to the location, installation, and equipping of control posts and other components of the Control Organization, including:

(a) geological and topographic map studies of the geographical areas of the world where control posts are to be located;

(b) consultations with technical representatives of the original Parties for the purpose of adopting standard construction designs for control posts and regional offices and of choosing types of equipment for each of the methods of detection;

(c) studies of the surveys which will be required for selecting sites for control posts and other components;

(d) studies of communication requirements;

(e) consultations with the original Parties for equipping and utilizing their aircraft for routine flights and vessels to be stationed in accordance with the Treaty and its Annexes;

(f) studies of requirements for standard time transmission and reception to ensure accurate relative time at all control posts and other components of the Control Organization.

2. Draw up detailed requirements and regulations for the staffing of the Organization and invite applications for posts to be filled during the initial operations of the Organization;
  3. Draw up requirements and invite applications for the post of Administrator;
  4. Recommend the site in Vienna of the permanent headquarters of the Organization; draw up recommendations for the provisions of a headquarters agreement defining the status of the Organization and its rights and relationship with the host country;
  5. Draw up detailed plans for the day-to-day technical and administrative operations of the Organization;
  6. Draw up for submission to the Conference the budget for the Organization's first financial period and a recommended scale of assessment;
  7. In conjunction with the United Nations, initiate the preparation of a draft agreement which would be in accordance with Article 17 of this Treaty;
  8. Make arrangements for the convening of the first Conference, to be held not later than six months from the date instruments of ratification have been deposited by all the original Parties.
- E. 1. On the day after deposit of instruments of ratification of the Treaty by all the original Parties, or as soon thereafter as possible, the Preparatory Commission shall be enlarged, to consist of one representative from each of the original Parties to this Treaty and one

representative from eight other states, chosen by agreement between the three original Parties from among those states which at that time have deposited instruments of ratification of the Treaty.

2. The Preparatory Commission thus enlarged shall exercise the powers conferred upon the Control Commission by the Treaty, in accordance with the procedures therein specified for the Control Commission. After the Preparatory Commission has been enlarged and pending the appointment of the Administrator, the executive Secretary of the Preparatory Commission shall exercise the powers conferred upon the Administrator by the Treaty.

3. Pending the enlargement of the Preparatory Commission pursuant to paragraph (1) of this Section, the Preparatory Commission shall continue to exercise only those functions listed in Section D of this Annex.