

# U.S. Arms Control and Disarmament Agency

Washington, D.C. 20451

# Treaties on the Limitation of Underground Nuclear Weapon Tests and on Underground Nuclear Explosions for Peaceful Purposes

Agreement has been reached with the Soviet Union on twin treaties that are important steps in the 30-year history of U.S. efforts to control the danger of nuclear weapons. The first, the Treaty on the Limitation of Underground Nuclear Weapon Tests, also known as the Threshold Test Ban Treaty (TTBT), was signed in July 1974, but ratification was not sought until now because that treaty would have been incomplete without the second, the Treaty on Underground Nuclear Explosions for Peaceful Purposes (PNE Treaty), which has just been concluded.

The treaty limiting weapons testing establishes a nuclear "threshold," prohibiting tests having a yield exceeding 150 kilotons (equivalent to 150,000 tons of TNT). The parallel treaty on peaceful nuclear explosions (PNEs) places exactly the same limit of 150 kilotons on the yield of any individual nuclear explosion for peaceful purposes, such as might be conducted as part of an engineering project.

At the time the Threshold Test Ban Treaty was concluded, the two parties recognized the need to establish an appropriate companion treaty to govern peaceful nuclear explosions, since there is no essential distinction between the technology of a nuclear explosive device that could be used as a weapon and a nuclear explosive device used for a peaceful purpose. Article III of the Threshold Test Ban Treaty specifically excluded PNEs from its provisions and called for negotiation of a separate treaty to govern them.

Negotiations on a PNE treaty began in Moscow on October 7, 1974. The U.S. delegation was headed by Ambassador Walter J. Stoessel, Jr., U.S. Ambassador to the Soviet Union, and included experts from the Arms Control and Disarmament Agency, the Department of State, the Office of the Secretary of Defense, the Joint Chiefs of Staff, and the Energy Research and Development Administration. The talks, involving subject matter of great technical complexity, took place in 6 rounds during a period of 18 months. They resulted, in early April of this year, in the Treaty on Underground Nuclear Explosions for Peaceful Purposes.

The Threshold Test Ban Treaty removes the possibility of testing new or existing nuclear weapons going beyond the fractional-megaton range. In the past decade, many tests above 150 kilotons have been conducted by both countries. The PNE Treaty also prohibits any individual nuclear explosion over 150 kilotons and, in addition, it establishes for certain situations the principle of on-site observation under the terms of an arms control agreement in the territories of the parties—an arrangement which the Soviet Union has never before permitted on its soil.

### **Nuclear Weapons Testing**

The task of devising an acceptable treaty to terminate all nuclear weapons testing remains on the agenda of the U.S. Government, and, in Article I, the parties to the Threshold Test Ban Treaty undertook an obligation to continue negotiations toward that goal. That task of reaching an agreement to terminate all nuclear weapon tests includes two critical questions that are still beyond the scope of the present TTB and PNE Treaties: (1) whether a regime for PNEs can be found that would be consistent with a complete ban on nuclear weapon tests and (2) arrangements to provide for adequate verification.

The first proposal for stopping nuclear weapon tests was made in 1955, and the first major negotiations with the Soviet Union for an effectively controlled test ban began in Geneva in 1958, with the United Kingdom also participating. The Conference on the Discontinuance of Nuclear Weapons Tests produced no agreement. The problem of working out verification procedures to insure compliance with a complete ban on

nuclear weapon tests in all environments proved to be intractable at that time. The procedures deemed necessary by the United States and the United Kingdom were not acceptable to the Soviet Union.

In 1963 the Limited Test Ban Treaty (LTBT) was signed by the Soviet Union, the United States, and the United Kingdom. This treaty prohibits nuclear weapon testing in the atmosphere, in outer space and under water. The parties also agreed not to carry out any nuclear weapon test, or any other nuclear explosion, in any other environment-i.e., underground-that would cause radioactive debris to be present beyond the borders of the country in which the explosion took place.

Underground nuclear explosions were not prohibited by the 1963 treaty, although both in the treaty preamble and Article I, the LTBT parties pledged to seek "the discontinuance of all test explosions of nuclear weapons for all time . . ."

It is not possible in many cases to distinguish between the seismic signals caused by an underground nuclear explosion and those caused by an earthquake. The United States has conducted extensive research in an effort to solve this problem-an investment of over \$300 million over the past decade. But, despite substantial advances in seismic technology, the U:S. Government continues to believe that some on-site inspection would be necessary to supplement long-range seismic data. The Soviet Union has consistently taken the position that no on-site inspection is needed to verify a comprehensive test ban.

Taking into account this longstanding impasse, the United States and the Soviet Union agreed in the spring of 1974 to pursue the possibilities of further partial restrictions on nuclear weapon testing. Accordingly, a team of U.S. experts was sent to Moscow for technical talks.

Agreement on the Threshold Test Ban Treaty was reached during the summit meeting in Moscow in July 1974. The test ban treaty includes a protocol which details technical data to be exchanged and which limits weapon testing to specific designated test sites to assist verification. The data to be exchanged include information on the geographical boundaries and geology of the testing areas. Geological data-including such factors as density of rock formation, water saturation, and depth of the water table-are useful in verifying test yields because the seismic signal produced by a given underground nuclear explosion varies with these factors at the test location. After an actual test has taken place, the geographic coordinates of the test location are to be furnished to the other party, to help in placing the test in the proper geological setting and thus in assessing the yield. Other information available to the United States will be used to cross-check the data provided.

The treaty also stipulates that data will be exchanged on a certain number of "calibration tests." By establishing the correlation between stated yields of explosions at the specified sites and the seismic signals produced, this exchange will help improve assessments by both parties of the yields of explosions based primarily on the measurements derived from their seismic instruments. The tests used for calibration purposes may be tests which have been conducted in the past or may be new tests.

Agreement to exchange the detailed data described above represents a significant degree of direct cooperation by the two major nuclear powers in the effort to control nuclear weapons. For the first time, each party will make available to the other data relating to its nuclear weapons test program.

The mutual restraint undertaken in the Threshold Test Ban Treaty will significantly reduce the explosive force of new nuclear warheads and bombs which could otherwise be developed for weapon systems. Of particular significance is the relationship between explosive power of reliable, tested warheads and first-strike capability.

### **Underground Nuclear Explosions for** Peaceful Purposes

Both the United States and the Soviet Union have had research, development, and testing programs for PNEs for many years. Work in the United States to date has failed to

establish any applications which appear to be both technically feasible and economically viable. The United States has not carried out any PNE experiments for several years and has no present plans to conduct any such experiments. The Soviet Union, however, has continued a research, development, and testing program for PNEs.

The United States pursued three basic objectives in participating in the PNE negotiations:

- PNEs must not provide weaponrelated benefits otherwise precluded by the Threshold Test Ban Treaty.
- The fact that PNE activities are not contributing such benefits must be adequately verifiable.
- The PNE Treaty must be consistent with existing treaty obligations, including in particular the Limited Test Ban Treaty of 1963.

The PNE Treaty signed with the Soviet Union fulfills these objectives. Specifically, the two nations have agreed not to carry out any individual peaceful nuclear explosion having a yield exceeding 150 kilotons, not to carry out any group explosion (consisting of a number of individual explosions) with an aggregate yield exceeding 1500 kilotons and have reaffirmed their intention to comply fully with the Limited Test Ban Treaty.

The PNE Treaty will govern all nuclear explosions carried out at locations outside the weapon test sites specified under the Threshold Test Ban Treaty.

The parties reserve the right to carry out peaceful nuclear explosions in the territory of another country if requested to do so, but only in full accord with the yield limits and other conditions of the treaty. This provision is consistent with the article in the Non-Proliferation Treaty of 1970 regarding the availability of benefits of PNEs to countries that foreswear a nuclear weapons capability. In this regard, appropriate assistance to the International Atomic Energy Agency is pledged.

Articles IV and V of the PNE Treaty cover the agreed verification arrangements. In addition to the use of national technical means-and the

commitment not to interfere with the national technical means of the other party-the treaty provides that information and access to sites of explosions will be furnished by each side. The permitting of on-site access by observers is a landmark in U.S.-Soviet cooperation in implementing agreements concerned with nuclear arms control.

A Joint Consultative Commission will be established to discuss any questions of compliance, to develop further specific details of the on-site inspection process as needed, and to facilitate cooperation in various areas related to PNEs which might be mutually beneficial.

The Protocol to the PNE Treaty sets forth the specific operational arrangements agreed to for making sure that no weapon-related benefits precluded by the Threshold Test Ban Treaty are derived by carrying out a peaceful nuclear explosion.

The central problem to be solved through these procedures is that of insuring that no single nuclear device will be exploded with a yield exceeding 150 kilotons. Special procedures are required when the aggregate vield of group explosions is larger than 150 kilotons, because seismic instruments located far distant from the site of a

group explosion would only register the total yield of the entire group. It is necessary, therefore, to have observers and instruments at the site of a group explosion to determine the yield of each of the individual devices making up the group explosion. In addition, observers may be permitted, on the basis of consultation between the parties, for explosions with aggregate vields between 100 and 150 kilotons. As an example of the procedures agreed upon and set forth in the Protocol to the Treaty, American observers will have the right to place instruments down into the emplacement hole containing each nuclear explosive device for any Soviet PNE with an aggregate yield above 150 kilotons in order to measure the vield of the explosion of each device. One kind of such instrument is called a SLIFER, an acronym that stands for Shorted Location Indication by Frequency of Electrical Resonance. It measures the yield of the explosion by measuring the speed of the hydrodynamic shock wave that travels outward from the center of the explosion.

In addition to this guaranteed access for observers at group explosions whose aggregate yield exceeds the 150 kiloton threshold, the PNE Treaty requires extensive amounts of information to be provided about all PNEs of any yield, before and after the explosion.

Both treaties are being submitted to the U.S. Senate for ratification. They will enter into force upon exchange of instruments of ratification by the two parties. Both treaties will remain in force for a period of 5 years, and will be extended for successive 5-year periods unless either party wishes to terminate them.

The article in the Treaty on Peaceful Nuclear Explosions relating to duration specifies that "under no circumstances shall either Party be entitled to terminate this Treaty while the Treaty on the Limitation of Underground Nuclear Weapon Tests remains in force."

The Threshold Test Ban Treaty contains a formal commitment by the parties to continue negotiations with a view toward achieving a solution to the problem of the cessation of all underground weapon tests. If a comprehensive test ban treaty can be achieved, such a treaty would replace the threshold ban.

### Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of **Underground Nuclear Weapon Tests. July 3, 1974**

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to take effective measures toward reductions in strategic arms, nuclear disarmament, and general and complete disarmament under strict and effective international control,

Recalling the determination expressed by the Parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time, and to continue negotiations to this end.

Noting that the adoption of measures for the further limitation of underground nuclear weapon tests would contribute to the achievement of these objectives and would meet the interest of strengthening peace and the further relaxation of international tension,

Reaffirming their adherence to the objectives and principles of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons,

Have agreed as follows:

### Article I

1. Each Party undertakes to prohibit, to prevent, and not to carry out any underground nuclear weapon test having a yield exceeding 150 kilotons at any place under its jurisdiction or control, beginning March 31, 1976.

2. Each Party shall limit the number of its underground nuclear weapon tests to a minimum.

3. The Parties shall continue their negotiations with a view toward achieving a solution to the problem of the cessation of all underground nuclear weapon tests.

### Article II

1. For the purpose of providing assurance of compliance with the provisions of this Treaty, each Party shall use national technical means of verification at its disposal in a manner consistent with the generally recognized principles of international law.

2. Each Party undertakes not to interfere with the national technical means of verification of the other Party operating in accordance with paragraph 1 of this Article.

3. To promote the objectives and implementation of the provisions of this Treaty the Parties shall, as necessary, consult with each other, make inquiries and furnish information in response to such inquiries.

### Article III

The provisions of this Treaty do not extend to underground nuclear explosions carried out by the Parties for peaceful purposes. Underground nuclear explosions for peaceful purposes shall be governed by an agreement which

is to be negotiated and concluded by the Parties at the earliest possible time.

### Article IV

This Treaty shall be subject to ratification in accordance with the constitutional procedures of each Party. This Treaty shall enter into force on the day of the exchange of instruments of ratification.

### Article V

1. This Treaty shall remain in force for a period of five years. Unless replaced earlier by an agreement in implementation of the objectives specified in paragraph 3 of Article I of this Treaty, it shall be extended for successive five-year periods unless either Party notifies the other of its termination no later than six months prior to the expiration of the Treaty. Before the expiration of this period the Parties may, as necessary, hold consultations to consider the situation relevant to the substance of this Treaty and to introduce possible amendments to the text of the Treaty.

2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to the other Party six months prior to withdrawal from this Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests.

3. This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations.

Done at Moscow on July 3, 1974, in duplicate, in the English and Russian languages, both texts being equally authentic.

For the United States of America:

### RICHARD NIXON

The President of the United States of America

For the Union of Soviet Socialist Republics:

L. I. BREZHNEV

General Secretary of the Central Committee of the CPSU

### Protocol to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties. Having agreed to limit underground nuclear weapon tests.

Have agreed as follows:

1. For the purpose of ensuring verification of compliance with the obligations of the Parties under the Treaty by national technical means, the Parties shall on the basis of reciprocity, exchange the following data:

a. The geographic coordinates of the boundaries of each test site and of the boundaries of the geophysically distinct testing areas therein.

b. Information on the geology of the testing areas of the sites (the rock characteristics of geological formations and the basic physical properties of the rock, i.e., density, seismic velocity, water saturation, porosity and depth of water table).

c. The geographic coordinates of underground nuclear weapon tests, after they have been conducted.

d. Yield, date, time, depth and coordinates for two nuclear weapon tests for calibration purposes from each geophysically distinct testing area where underground nuclear weapon tests have been and are to be conducted. In this connection the yield of such explosions for calibration purposes should be as near as possible to the limit defined in Article I of the Treaty and not less than one-tenth of that limit. In the case of testing areas where data are not available on two tests for calibration purposes, the data pertaining to one such test shall be exchanged, if available, and the data pertaining to the second test shall be exchanged as soon as possible after the second test having a yield in the above-mentioned range. The provisions of this Protocol shall not require the Parties to conduct tests solely for calibration purposes.

2. The Parties agree that the exchange of data pursuant to subparagraphs a, b, and d of paragraph 1 shall be carried out simultaneously with the exchange of instruments of ratification of the Treaty, as provided in Article IV of the Treaty, having in mind that the Parties shall, on the basis of reciprocity, afford each other the opportunity to familiarize themselves with these data before the exchange of instruments of ratification.

3. Should a Party specify a new test site or testing area after the entry into force of the Treaty, the data called for by subparagraphs a and b of paragraph 1 shall be transmitted to the other Party in advance of use of that site or area. The data called for by subparagraph d of paragraph 1 shall also be transmitted in advance of use of that site or area if they are available; if they are not available, they shall be transmitted as soon as possible after they have been obtained by the transmitting Party.

4. The Parties agree that the test sites of each Party shall be located at places under its jurisdiction or control and that all nuclear weapon tests shall be conducted solely within the testing areas specified in accordance with paragraph 1.

5. For the purposes of the Treaty, all underground nuclear explosions at the specified test sites shall be considered nuclear weapon tests and shall be subject to all the provisions of the Treaty relating to nuclear weapon tests. The provisions of Article III of the Treaty apply to all underground nuclear explosions conducted outside of the specified test sites, and only to such explosions.

This Protocol shall be considered an integral part of the Treaty.

Proceeding from a desire to implement Article III of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests, which calls for the earliest possible conclusion of an agreement on underground nuclear explosions for peaceful purposes,

purposes.

1. The Parties enter into this Treaty to satisfy the 2. This Treaty shall govern all underground nuclear

obligations in Article III of the Treaty on the Limitation of Underground Nuclear Weapon Tests, and assume additional obligations in accordance with the provisions of this Treaty, explosions for peaceful purposes conducted by the Parties after March 31, 1976.

Done at Moscow on July 3, 1974.

For the United States of America:

**RICHARD NIXON** The President of the United States of America

For the Union of Soviet Socialist Republics:

L. I. BREZHNEV General Secretary of the Central Committee of the CPSU

### Treaty Between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Reaffirming their adherence to the objectives and principles of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, the Treaty on Non-Proliferation of Nuclear Weapons, and the Treaty on the Limitation of Underground Nuclear Weapon Tests, and their determination to observe strictly the provisions of these international agreements.

Desiring to assure that underground nuclear explosions for peaceful purposes shall not be used for purposes related to nuclear weapons.

Desiring that utilization of nuclear energy be directed only toward peaceful purposes,

Desiring to develop appropriately cooperation in the field of underground nuclear explosions for peaceful

Have agreed as follows:

### Article I

5

### Article II

### For the purposes of this Treaty:

(a) "explosion" means any individual or group underground nuclear explosion for peaceful purposes:

(b) "explosive" means any device, mechanism or system for producing an individual explosion:

(c) "group explosion" means two or more individual explosions for which the time interval between successive individual explosions does not exceed five seconds and for which the emplacement points of all explosives can be interconnected by straight line segments, each of which joins two emplacement points and each of which does not exceed 40 kilometers.

### Article III

1. Each Party, subject to the obligations assumed under this Treaty and other international agreements, reserves the right to:

(a) carry out explosions at any place under its jurisdiction or control outside the geographical boundaries of test sites specified under the provisions of the Treaty on the Limitation of Underground Nuclear Weapon Tests; and

(b) carry out, participate or assist in carrying out explosions in the territory of another State at the request of such other State.

2. Each Party undertakes to prohibit, to prevent and not to carry out at any place under its jurisdiction or control, and further undertakes not to carry out, participate or assist in carrying out anywhere:

(a) any individual explosion having a yield exceeding 150 kilotons:

(b) any group explosion:

(1) having an aggregate yield exceeding 150 kilotons except in ways that will permit identification of each individual explosion and determination of the yield of each individual explosion in the group in accordance with the provisions of Article IV of and the Protocol to this Treaty:

(2) having an aggregate yield exceeding one and one-half megatons;

(c) any explosion which does not carry out a peaceful application;

(d) any explosion except in compliance with the provisions of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, the Treaty on the Non-Proliferation of Nuclear Weapons, and other international agreements entered into by that Party,

3. The question of carrying out any individual explosion having a yield exceeding the yield specified in paragraph 2(a) of this article will be considered by the Parties at an appropriate time to be agreed.

### Article IV

1. For the purpose of providing assurance of compliance with the provisions of this Treaty, each Party shall:

(a) use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law; and

(b) provide to the other Party information and access to sites of explosions and furnish assistance in accordance with the provisions set forth in the Protocol to this Treaty.

2. Each Party undertakes not to interfere with the national technical means of verification of the other Party operating in accordance with paragraph 1(a) of this article, or with the implementation of the provisions of paragraph 1(b) of this article.

### Article V

1. To promote the objectives and implementation of the provisions of this Treaty, the Parties shall establish promptly a Joint Consultative Commission within the framework of which they will:

(a) consult with each other, make inquiries and furnish information in response to such inquiries, to assure confidence in compliance with the obligations assumed;

(b) consider questions concerning compliance with the obligations assumed and related situations which may be considered ambiguous;

(c) consider questions involving unintended interference with the means for assuring compliance with the provisions of this Treaty;

(d) consider changes in technology or other new circumstances which have a bearing on the provisions of this Treaty; and

(e) consider possible amendments to provisions governing underground nuclear explosions for peaceful purposes.

2. The Parties through consultation shall establish, and may amend as appropriate, Regulations for the Joint Consultative Commission governing procedures, composition and other relevant matters.

### Article VI

1. The Parties will develop cooperation on the basis of mutual benefit, equality, and reciprocity in various areas related to carrying out underground nuclear explosions for peaceful purposes.

2. The Joint Consultative Commission will facilitate this cooperation by considering specific areas and forms of cooperation which shall be determined by agreement between the Parties in accordance with their constitutional procedures.

3. The Parties will appropriately inform the International Atomic Energy Agency of results of their cooperation in the field of underground nuclear explosions for peaceful purposes.

### Article VII

1. Each Party shall continue to promote the development of the international agreement or agreements and procedures provided for in Article V of the Treaty on the Non-Proliferation of Nuclear Weapons, and shall provide appropriate assistance to the International Atomic Energy Agency in this regard.

2. Each Party undertakes not to carry out, participate or assist in the carrying out of any explosion in the territory of another State unless that State agrees to the implementation in its territory of the international observation and procedures contemplated by Article V of the Treaty on the Non-Proliferation of Nuclear Weapons and the provisions of Article IV of and the Protocol to this Treaty, including the provision by that State of the assistance necessary for such implementation and of the privileges and immunities specified in the Protocol.

### Article VIII

1. This Treaty shall remain in force for a period of five years, and it shall be extended for successive five-year periods unless either Party notifies the other of its termination no later than six months prior to its expiration. Before the expiration of this period the Parties may, as necessary, hold consultations to consider the situation relevant to the substance of this Treaty. However, under no circumstances shall either Party be entitled to terminate this Treaty while the Treaty on the Limitation of Underground Nuclear Weapon Tests remains in force.

2. Termination of the Treaty on the Limitation of Underground Nuclear Weapon Tests shall entitle either Party to withdraw from this Treaty at any time.

3. Each Party may propose amendments to this Treaty. Amendments shall enter into force on the day of the exchange of instruments of ratification of such amendments.

### Article IX

1. This Treaty including the Protocol which forms an integral part hereof, shall be subject to ratification in accordance with the constitutional procedures of each Party. This Treaty shall enter into force on the day of the exchange of instruments of ratification which exchange shall take place simultaneously with the exchange of instruments of ratification of the Treaty on the Limitation of Underground Nuclear Weapon Tests.

2. This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations.

Done at Washington and Moscow, on May 28, 1976, in duplicate, in the English and Russian languages, both texts being equally authentic.

For the United States of America:

GERALD R. FORD The President of the United States of America

For the Union of Soviet Socialist Republics:

### L. I. BREZHNEV

General Secretary of the Central Committee of the CPSU

the beginning of emplacement of the explosives, with the following information: (a) the number of explosives, the planned yield of

each explosive, the location of each explosive to be used in a group explosion relative to all other explosives in the

6

## Protocol to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Having agreed to the provisions in the Treaty on Underground Nuclear Explosions for Peaceful Purposes, hereinafter referred to as the Treaty.

Have agreed as follows:

sion;

### Article I

1. No individual explosion shall take place at a distance, in meters, from the ground surface which is less than 30 times the 3.4 root of its planned vield in kilotons.

2. Any group explosion with a planned aggregate yield exceeding 500 kilotons shall not include more than five individual explosions, each of which has a planned yield not exceeding 50 kilotons.

### Article II

1. For each explosion, the Party carrying out the explosion shall provide the other Party:

(a) not later than 90 days before the beginning of emplacement of the explosives when the planned aggregate yield of the explosion does not exceed 100 kilotons, or not later than 180 days before the beginning of emplacement of the explosives when the planned aggregate yield of the explosion exceeds 100 kilotons, with the following information to the extent and degree of precision available when it is conveyed:

(1) the purpose of the planned explosion;

(2) the location of the explosion expressed in geographical coordinates with a precision of four or less kilometers, planned date and aggregate yield of the explo-

(3) the type or types of rock in which the explosion will be carried out, including the degree of liquid saturation of the rock at the point of emplacement of each explosive; and

(4) a description of specific technological features of the project, of which the explosion is a part, that could influence the determination of its yield and confirmation of purpose; and

(b) not later than 60 days before the beginning of emplacement of the explosives the information specified in subparagraph 1(a) of this article to the full extent and with the precision indicated in that subparagraph.

2. For each explosion with a planned aggregate yield exceeding 50 kilotons, the Party carrying out the explosion shall provide the other Party, not later than 60 days before group with a precision of 100 or less meters, the depth of emplacement of each explosive with a precision of one meter and the time intervals between individual explosions. in any group explosion with a precision of one-tenth second: and

(b) a description of specific features of geological structure or other local conditions that could influence the determination of the vield.

3. For each explosion with a planned aggregate yield exceeding 75 kilotons, the Party carrying out the explosion shall provide the other Party, not later than 60 days before the beginning of emplacement of the explosives, with a description of the geological and geophysical characteristics of the site of each explosion which could influence determination of the vield, which shall include; the depth of the water table; a stratigraphic column above each emplacement point; the position of each emplacement point relative to nearby geological and other features which influenced the design of the project of which the explosion is a part; and the physical parameters of the rock, including density, seismic velocity, porosity, degree of liquid saturation, and rock strength, within the sphere centered on each emplacement point and having a radius, in meters, equal to 30 times the cube root of the planned yield in kilotons of the explosive emplaced at that point.

4. For each explosion with a planned aggregate yield exceeding 100 kilotons, the Party carrying out the explosion shall provide the other Party, not later than 60 days before the beginning of emplacement of the explosives, with:

(a) information on locations and purposes of facilities and installations which are associated with the conduct of the explosion;

(b) information regarding the planned date of the beginning of emplacement of each explosive; and

(c) a topographic plan in local coordinates of the areas specified in paragraph 7 of Article IV, at a scale of 1:24,000 or 1:25,000 with a contour interval of 10 meters or less.

5. For application of an explosion to alleviate the consequences of an emergency situation involving an unforeseen combination of circumstances which calls for immediate action for which it would not be practicable to observe the timing requirements of paragraphs 1, 2 and 3 of this article, the following conditions shall be met:

(a) the Party carrying out an explosion for such such purposes shall inform the other Party of that decision immediately after it has been made and describe such circumstances:

(b) the planned aggregate yield of an explosion for such purpose shall not exceed 100 kilotons; and

(c) the Party carrying out an explosion for such purpose shall provide to the other Party the information specified in paragraph 1 of this article, and the information specified in paragraphs 2 and 3 of this article if applicable, after the decision to conduct the explosion is taken, but not later than 30 days before the beginning of emplacement of the explosives.

6. For each explosion, the Party carrying out the explosion shall inform the other Party, not later than two days before the explosion, of the planned time of detonation of each explosive with a precision of one second.

7. Prior to the explosion, the Party carrying out the explosion shall provide the other Party with timely notification of changes in the information provided in accordance with this article.

8. The explosion shall not be carried out earlier than 90 days after notification of any change in the information provided in accordance with this article which requires more extensive verification procedures than those required on the basis of the original information, unless an earlier time for carrying out the explosion is agreed between the Parties.

9. Not later than 90 days after each explosion the Party carrying out the explosion shall provide the other Party with the following information:

(a) the actual time of the explosion with a precision of one-tenth second and its aggregate yield:

(b) when the planned aggregate yield of a group explosion exceeds 50 kilotons, the actual time of the first individual explosion with a precision of one-tenth second. the time interval between individual explosions with a precision of one millisecond and the yield of each individual explosion; and

(c) confirmation of other information provided in accordance with paragraphs 1, 2, 3 and 4 of this article and explanation of any changes or corrections based on the results of the explosion.

10. At any time, but not later than one year after the explosion, the other Party may request the Party carrying out the explosion to clarify any item of the information provided in accordance with this article. Such clarification shall be provided as soon as practicable, but not later than 30 days after the request is made.

### Article III

1. For the purposes of this Protocol:

(a) "designated personnel" means those nationals of the other Party identified to the Party carrying out an explosion as the persons who will exercise the rights and functions provided for in the Treaty and this Protocol; and

(b) "emplacement hole" means the entire interior of any drill-hole, shaft, adit or tunnel in which an explosive and associated cables and other equipment are to be installed.

2. For any explosion with a planned aggregate yield exceeding 100 kilotons but not exceeding 150 kilotons if the Parties, in consultation based on information provided in accordance with Article II and other information that may be introduced by either Party, deem it appropriate for the confirmation of the yield of the explosion, and for any explosion with a planned aggregate yield exceeding 150 kilotons, the Party carrying out the explosion shall allow designated personnel within the areas and at the locations described in Article V to exercise the following rights and functions:

(a) confirmation that the local circumstances, including facilities and installations associated with the project, are consistent with the stated peaceful purposes:

(b) confirmation of the validity of the geological and geophysical information provided in accordance with Article II through the following procedures:

(1) examination by designated personnel of research and measurement data of the Party carrying out the explosion and of rock core or rock fragments removed from each emplacement hole, and of any logs and drill core from existing exploratory holes which shall be provided to designated personnel upon their arrival at the site of the explosion:

(2) examination by designated personnel of rock core or rock fragments as they become available in accordance with the procedures specified in subparagraph 2(b)(3) of this article; and

(3) observation by designated personnel of implementation by the Party carrying out the explosion of one of the following four procedures, unless this right is waived by the other Party:

(i) construction of that portion of each emplacement hole starting from a point nearest the entrance of the emplacement hole which is at a distance, in meters, from the nearest emplacement point equal to 30 times the cube root of the planned yield in kilotons of the explosive to be emplaced at that point and continuing to the completion of the emplacement hole; or

(ii) construction of that portion of each emplacement hole starting from a point nearest the entrance of the emplacement hole which is at a distance, in meters, from the nearest emplacement point equal to six times the cube root of the planned yield in kilotons of the explosive to be emplaced at that point and continuing to the completion of the emplacement hole as well as the removal of rock core or rock fragments from the wall of an existing exploratory hole, which is substantially parallel with and at no point more than 100 meters from the emplacement hole, at locations specified by designated personnel which lie within a distance, in meters, from the same horizon as each emplacement point of 30 times the cube root of the planned yield in kilotons of the explosive to be emplaced at that point; or

(iii) removal of rock core or rock fragments from the wall of each emplacement hole at locations specified by designated personnel which lie within a distance, in meters, from each emplacement point of 30 times the cube root of the planned yield in kilotons of the explosive to be emplaced at each such point; or

(iv) construction of one or more new exploratory holes so that for each emplacement hole there will be a new exploratory hole to the same depth as that of the emplacement of the explosive, substantially parallel with and at no point more than 100 meters from each emplacement hole, from which rock cores would be removed at locations specified by designated personnel

3. Designated personnel, using equipment provided in accordance with paragraph 1 of Article IV, shall have the right, for any explosion with a planned aggregate yield exceeding 150 kilotons, to determine the yield of each individual explosion in a group explosion in accordance with the provisions of Article VI. 4. Designated personnel, when using their equipment in accordance with paragraph **†** of Article IV, shall have the right, for any explosion with a planned aggregate yield exceeding 500 kilotons, to emplace, install and operate under the observation and with the assistance of personnel of the Party carrying out the explosion, if such assistance is requested by designated personnel, a local seismic network in accordance with the provisions of paragraph 7 of Article IV. Radio links may be used for the transmission of data and control signals between the seismic stations and the control center. Frequencies, maximum power output of radio transmitters, directivity of antennas and times of operation of the local seismic network radio transmitters before the explosion shall be agreed between the Parties in accordance with Article X and time of operation after the explosion shall conform to the time specified in paragraph 7 of Article IV.

(a) acquire photographs under the following conditions:

(1) the Party carrying out the explosion shall identify to the other Party those personnel of the Party carrying out the explosion who shall take photographs as requested by designated personnel;

(2) photographs shall be taken by personnel of the Party carrying out the explosion in the presence of designated personnel and at the time requested by designated personnel for taking such photographs. Designated personnel shall determine whether these photographs are in conformity with their requests and, if not, additional photographs shall be taken immediately;

(3) photographs shall be taken with cameras provided by the other Party having built-in, rapid developing capability and a copy of each photograph shall be provided at the completion of the development process to both Parties:

(4) cameras provided by designated personnel shall be kept in agreed secure storage when not in use; and

which lie within a distance, in meters, from the same horizon as each emplacement point of 30 times the cube root of the planned yield in kilotons of the explosive to be emplaced at each such point:

(c) observation of the emplacement of each explosive, confirmation of the depth of its emplacement and observation of the stemming of each emplacement hole;

(d) unobstructed visual observation of the area of the entrance to each emplacement hole at any time from the time of emplacement of each explosive until all personnel have been withdrawn from the site for the detonation of the explosion; and

(e) observation of each explosion.

5. Designated personnel shall have the right to:

(5) the request for photographs can be made, at any time, of the following:

(i) exterior views of facilities and installations associated with the conduct of the explosion as described in subparagraph 4(a) of Article II:

(ii) geological samples used for confirmation of geological and geophysical information, as provided for in subparagraph 2(b) of this article and the equipment utilized in the acquisition of such samples;

(iii) emplacement and installation of equipment and associated cables used by designated personnel for vield determination;

(iv) emplacement and installation of the local seismic network used by designated personnel;

(v) emplacement of the explosives and the stemming of the emplacement hole; and

(vi) containers, facilities and installations for storage and operation of equipment used by designated personnel:

(b) photographs of visual displays and records produced by the equipment used by designated personnel and photographs within the control centers taken by cameras which are component parts of such equipment; and

(c) receive at the request of designated personnel and with the agreement of the Party carrying out the explosion supplementary photographs taken by the Party carrying out the explosion.

### Article IV

1. Designated personnel in exercising their rights and functions may choose to use the following equipment of either Party, of which choice the Party carrying out the explosion shall be informed not later than 150 days before the beginning of emplacement of the explosives:

(a) electrical equipment for yield determination and equipment for a local seismic network as described in paragraphs 3, 4 and 7 of this article; and

(b) geologist's field tools and kits and equipment for recording of field notes.

2. Designated personnel shall have the right in exercising their rights and functions to utilize the following additional equipment which shall be provided by the Party carrying out the explosion, under procedures to be established in accordance with Article X to ensure that the equipment meets the specifications of the other Party: portable short-range communication equipment, field glasses, optical equipment for surveying and other items which may be specified by the other Party. A description of such equipment and operating instructions shall be provided to the other Party not later than 90 days before the beginning of emplacement of the explosives in connection with which such equipment is to be used.

3. A complete set of electrical equipment for yield determination shall consist of:

(a) sensing elements and associated cables for transmission of electrical power, control signals and data;

(b) equipment of the control center, electrical power supplies and cables for transmission of electrical power, control signals and data; and

(c) measuring and calibration instruments, maintenance equipment and spare parts necessary for ensuring the functioning of sensing elements, cables and equipment of the control center.

4. A complete set of equipment for the local seismic network shall consist of:

(a) seismic stations each of which contains a seismic instrument, electrical power supply and associated cables and radio equipment for receiving and transmission of control signals and data or equipment for recording control signals and data:

(b) equipment of the control center and electrical power supplies; and

(c) measuring and calibration instruments, maintenance equipment and spare parts necessary for ensuring the functioning of the complete network.

5. In case designated personnel, in accordance with paragraph 1 of this article, choose to use equipment of the Party carrying out the explosion for yield determination or for a local seismic network, a description of such equipment and installation and operating instructions shall be provided to the other Party not later than 90 days before the beginning of emplacement of the explosives in connection with which such equipment is to be used. Personnel of the Party carrying out the explosion shall emplace, install and operate the equipment in the presence of designated personnel. After the explosion, designated personnel shall receive duplicate copies of the recorded data. Equipment for yield determination shall be emplaced in accordance with Article VI. Equipment for a local seismic network shall be emplaced in accordance with paragraph 7 of this article.

6. In case designated personnel, in accordance with paragraph 1 of this article, choose to use their own equipment for yield determination and their own equipment for a local seismic network, the following procedures shall apply:

(a) the Party carrying out the explosion shall be provided by the other Party with the equipment and information specified in subparagraphs (a)(1) and (a)(2) of this paragraph not later than 150 days prior to the beginning of emplacement of the explosives in connection with which such equipment is to be used in order to permit the Party carrying out the explosion to familiarize itself with such equipment, if such equipment and information has not been previously provided, which equipment shall be returned to the other Party not later than 90 days before the beginning of emplacement of the explosives. The equipment and information to be provided are:

(1) one complete set of electrical equipment for yield determination as described in paragraph 3 of this article, electrical and mechanical design information, specifications and installation and operating instructions concerning this equipment; and

(2) one complete set of equipment for the local seismic network described in paragraph 4 of this article, including one seismic station, electrical and mechanical design information, specifications and installation and operating instructions concerning this equipment;

(b) not later than 35 days prior to the beginning of emplacement of the explosives in connection with which the following equipment is to be used, two complete sets of electrical equipment for yield determination as described in paragraph 3 of this article and specific installation instructions for the emplacement of the sensing elements based on information provided in accordance with subparagraph 2(a) of Article VI and two complete sets of equipment for the local seismic network as described in paragraph 4 of this article, which sets of equipment shall have the same components and technical characteristics as the corresponding equipment specified in subparagraph 6(a) of this article. shall be delivered in sealed containers to the port of entry;

(c) the Party carrying out the explosion shall choose one of each of the two sets of equipment described above which shall be used by designated personnel in connection with the explosion:

(d) the set or sets of equipment not chosen for use in connection with the explosion shall be at the disposal of the Party carrying out the explosion for a period that may be as long as 30 days after the explosion at which time such equipment shall be returned to the other Party;

(e) the set or sets of equipment chosen for use shall be transported by the Party carrying out the explosion in the sealed containers in which this equipment arrived, after seals of the Party carrying out the explosion have been affixed to them, to the site of the explosion, so that this equipment is delivered to designated personnel for emplacement, installation and operation not later than 20 days before the beginning of emplacement of the explosives. This equipment shall remain in the custody of designated personnel in accordance with paragraph 7 of Article V or in agreed secure storage. Personnel of the Party carrying out the explosion shall have the right to observe the use of this equipment by designated personnel during the time the equipment is at the site of the explosion. Before the beginning of emplacement of the explosives, designated personnel shall demonstrate to personnel of the Party carrying out the explosion that this equipment is in working order:

(f) each set of equipment shall include two sets of components for recording data and associated calibration equipment. Both of these sets of components in the equipment chosen for use shall simultaneously record data. After the explosion, and after duplicate copies of all data have been obtained by designated personnel and the Party carrying out the explosion, one of each of the two sets of components for recording data and associated calibration equipment shall be selected, by an agreed process of chance, to be retained by designated personnel. Designated personnel shall pack and seal such components for recording data and associated calibration equipment which shall accompany them from the site of the explosion to the port of exit: and

(q) all remaining equipment may be retained by the Party carrying out the explosion for a period that may be as long as 30 days, after which time this equipment shall be returned to the other Party.

7. For any explosion with a planned aggregate yield exceeding 500 kilotons, a local seismic network, the number of stations of which shall be determined by designated personnel but shall not exceed the number of explosives in the group plus five, shall be emplaced, installed and operated at agreed sites of emplacement within an area circumscribed by circles of 15 kilometers in radius centered on points on the surface of the earth above the points of emplacement of the explosives during a period beginning not later than 20 days before the beginning of emplacement of the explosives and continuing after the explosion not later than three days unless otherwise agreed between the Parties.

8. The Party carrying out the explosion shall have the right to examine in the presence of designated personnel all equipment, instruments and tools of designated personnel specified in subparagraph 1(b) of this article.

9. The Joint Consultative Commission will consider proposals that either Party may put forward for the joint development of standardized equipment for verification purposes.

### Article V

1. Except as limited by the provisions of paragraph 5 of this article, designated personnel in the exercise of their rights and functions shall have access along agreed routes:

(a) for an explosion with a planned aggregate yield exceeding 100 kilotons in accordance with paragraph 2 of Article III:

(1) to the locations of facilities and installations associated with the conduct of the explosion provided in accordance with subparagraph 4(a) of Article II; and

(2) to the locations of activities described in paragraph 2 of Article III; and

(b) for any explosion with a planned aggregate yield exceeding 150 kilotons, in addition to the access described in subparagraph 1(a) of this article:

(1) to other locations within the area circumscribed by circles of 10 kilometers in radius centered on points on the surface of the earth above the points of emplacement of the explosives in order to confirm that the local circumstances are consistent with the stated peaceful purposes;

(2) to the locations of the components of the electrical equipment for yield determination to be used for recording data when, by agreement between the Parties, such equipment is located outside the area described in subparagraph 1(b)(1) of this article; and

(3) to the sites of emplacement of the equipment of the local seismic network provided for in paragraph 7 of Article IV.

2. The Party carrying out the explosion shall notify the other Party of the procedure it has chosen from among those specified in subparagraph 2(b)(3) of Article III not later than 30 days before beginning the implementation of such procedure. Designated personnel shall have the right to be present at the site of the explosion to exercise their rights and functions in the areas and at the locations described in paragraph 1 of this article for a period of time beginning two days before the beginning of the implementation of the procedure and continuing for a period of three days after the completion of this procedure.

3. Except as specified in paragraph 4 of this article, designated personnel shall have the right to be present in the areas and at the locations described in paragraph 1 of this article:

(a) for an explosion with a planned aggregate yield exceeding 100 kilotons but not exceeding 150 kilotons, in accordance with paragraph 2 of Article III, at any time beginning five days before the beginning of emplacement of the explosives and continuing after the explosion and after safe access to evacuated areas has been established according to standards determined by the Party carrying out the explosion for a period of two days; and

(b) for any explosion with a planned aggregate yield exceeding 150 kilotons, at any time beginning 20 days before the beginning of emplacement of the explosives and continuing after the explosion and after safe access to evacuated areas has been established according to standards determined by the Party carrying out the explosion for a period of:

(1) five days in the case of an explosion with a planned aggregate yield exceeding 150 kilotons but not exceeding 500 kilotons; or

(2) eight days in the case of an explosion with a planned aggregate yield exceeding 500 kilotons.

4. Designated personnel shall not have the right to be present in those areas from which all personnel have been evacuated in connection with carrying out an explosion, but shall have the right to re-enter those areas at the same time as personnel of the Party carrying out the explosion.

5. Designated personnel shall not have or seek access by physical, visual or technical means to the interior of the canister containing an explosive, to documentary or other information descriptive of the design of an explosive nor to equipment for control and firing of explosives. The Party carrying out the explosion shall not locate documentary or other information descriptive of the design of an explosive in such ways as to impede the designated personnel in the exercise of their rights and functions.

6. The number of designated personnel present at the site of an explosion shall not exceed:

(a) for the exercise of their rights and functions in connection with the confirmation of the geological and geophysical information in accordance with the provisions of subparagraph 2(b) and applicable provisions of paragraph 5 of Article III-the number of emplacement holes plus three:

(b) for the exercise of their rights and functions in

connection with confirming that the local circumstances are consistent with the information provided and with the stated peaceful purposes in accordance with the provisions in subparagraphs 2(a), 2(c), 2(d) and 2(e) and applicable provisions of paragraph 5 of Article III-the number of explosives plus two:

(c) for the exercise of their rights and functions in connection with confirming that the local circumstances are consistent with the information provided and with the stated peaceful purposes in accordance with the provisions in subparagraphs 2(a), 2(c), 2(d) and 2(e) and applicable provisions of paragraph 5 of Article III and in connection with the use of electrical equipment for determination of the yield in accordance with paragraph 3 of Article III-the number of explosives plus seven; and

(d) for the exercise of their rights and functions in connection with confirming that the local circumstances are consistent with the information provided and with the stated peaceful purposes in accordance with the provisions in subparagraph 2(a), 2(c), 2(d) and 2(e) and applicable provisions of paragraph 5 of Article III and in connection with the use of electrical equipment for determination of the yield in accordance with paragraph 3 of Article III and with the use of the local seismic network in accordance with paragraph 4 of Article III-the number of explosives plus 10.

7. The Party carrying out the explosion shall have the right to assign its personnel to accompany designated personnel while the latter exercise their rights and functions.

8. The Party carrying out an explosion shall assure for designated personnel telecommunications with their authorities, transportation and other services appropriate to their presence and to the exercise of their rights and functions at the site of the explosion.

9. The expenses incurred for the transportation of designated personnel and their equipment to and from the site of the explosion, telecommunications provided for in paragraph 8 of this article, their living and working quarters, subsistence and all other personal expenses shall be the responsibility of the Party other than the Party carrying out the explosion.

10. Designated personnel shall consult with the Party carrying out the explosion in order to coordinate the planned program and schedule of activities of designated personnel with the program of the Party carrying out the explosion for the conduct of the project so as to ensure that designated personnel are able to conduct their activities in an orderly and timely way that is compatible with the implementation of the project. Procedures for such consultations shall be established in accordance with Article Х.

### Article VI

For any explosion with a planned aggregate yield exceeding 150 kilotons, determination of the yield of each explosive used shall be carried out in accordance with the following provisions:

1. Determination of the yield of each individual explosion in the group shall be based on measurements of the velocity of propagation, as a function of time, of the hydrodynamic shock wave generated by the explosion, taken by means of electrical equipment described in paragraph 3 of Article IV.

2. The Party carrying out the explosion shall provide the other Party with the following information:

(a) not later than 60 days before the beginning of emplacement of the explosives, the length of each canister in which the explosive will be contained in the corresponding emplacement hole, the dimensions of the tube or other device used to emplace the canister and the cross-sectional dimensions of the emplacement hole to a distance. in meters, from the emplacement point of 10 times the cube root of its yield in kilotons;

(b) not later than 60 days before the beginning of emplacement of the explosives, a description of materials, including their densities, to be used to stem each emplacement hole: and

(c) not later than 30 days before the beginning of emplacement of the explosives, for each emplacement hole of a group explosion, the local coordinates of the point of emplacement of the explosive, the entrance of the emplacement hole, the point of the emplacement hole most distant from the entrance, the location of the emplacement hole at each 200 meters distance from the entrance and the configuration of any known voids larger than one cubic meter located within the distance, in meters, of 10 times the cube root of the planned yield in kilotons measured from the bottom of the canister containing the explosive. The error in these coordinates shall not exceed one percent of the distance between the emplacement hole and the nearest other emplacement hole or one percent of the distance between the point of measurement and the entrance of the emplacement hole, whichever is smaller, but in no case shall the error be required to be less than one meter.

3. The Party carrying out the explosion shall emplace for each explosive that portion of the electrical equipment for yield determination described in subparagraph 3(a) of Article IV, supplied in accordance with paragraph 1 of Article IV, in the same emplacement hole as the explosive in accordance with the installation instructions supplied under the provisions of paragraph 5 or 6 of Article IV. Such emplacement shall be carried out under the observation of designated personnel. Other equipment specified in subparagraph 3(b) of Article IV shall be emplaced and installed:

(a) by designated personnel under the observation and with the assistance of personnel of the Party carrying out the explosion, if such assistance is requested by designated personnel; or

(b) in accordance with paragraph 5 of Article IV.

4. That portion of the electrical equipment for yield determination described in subparagraph 3(a) of Article IV that is to be emplaced in each emplacement hole shall be located so that the end of the electrical equipment which is canister.

7. For those explosives which are emplaced in separate emplacement holes, the emplacement shall be such that the distance D, in meters, between any explosive and any portion of the electrical equipment for determination of the yield of any other explosive in the group shall be not less than 10 times the cube root of the planned yield in kilotons of the larger explosive of such a pair of explosives. Individual explosions shall be separated by time intervals, in milliseconds, not greater than one-sixth the amount by which the distance D, in meters, exceeds 10 times the cube root of the planned yield in kilotons of the larger explosive of such a pair of explosives. 8. For those explosives in a group which are emplaced

farthest from the entrance to the emplacement hole is at a distance, in meters, from the bottom of the canister containing the explosive equal to 3.5 times the cube root of the planned yield in kilotons of the explosive when the planned yield is less than 20 kilotons and three times the cube root of the planned yield in kilotons of the explosive when the planned yield is 20 kilotons or more. Canisters longer than 10 meters containing the explosive shall only be utilized if there is prior agreement between the Parties establishing provisions for their use. The Party carrying out the explosion shall provide the other Party with data on the distribution of density inside any other canister in the emplacement hole with a transverse cross-sectional area exceeding 10 square centimeters located within a distance, in meters, of 10 times the cube root of the planned yield in kilotons of the explosion from the bottom of the canister containing the explosive. The Party carrying out the explosion shall provide the other Party with access to confirm such data on density distribution within any such

5. The Party carrying out an explosion shall fill each emplacement hole, including all pipes and tubes contained therein which have at any transverse section an aggregate cross-sectional area exceeding 10 square centimeters in the region containing the electrical equipment for yield determination and to a distance, in meters, of six times the cube root of the planned yield in kilotons of the explosive from the explosive emplacement point, with material having a density not less than seven-tenths of the average density of the surrounding rock, and from that point to a distance of not less than 60 meters from the explosive emplacement point with material having a density greater than one gram per cubic centimeter.

6. Designated personnel shall have the right to:

(a) confirm information provided in accordance with subparagraph 2(a) of this article;

(b) confirm information provided in accordance with subparagraph 2(b) of this article and be provided, upon request, with a sample of each batch of stemming material as that material is put into the emplacement hole; and

(c) confirm the information provided in accordance with subparagraph 2(c) of this article by having access to the data acquired and by observing, upon their request, the making of measurements.

in a common emplacement hole, the distance, in meters, between each explosive and any other explosive in that

### emplacement hole shall be not less than 10 times the cube root of the planned yield in kilotons of the larger explosive of such a pair of explosives, and the explosives shall be detonated in sequential order, beginning with the explosive farthest from the entrance to the emplacement hole, with the individual detonations separated by time intervals, in milliseconds, of not less than one times the cube root of the planned yield in kilotons of the largest explosive in this emplacement hole.

### Article VII

1. Designated personnel with their personal baggage and their equipment as provided in Article IV shall be permitted to enter the territory of the Party carrying out the explosion at an entry port to be agreed upon by the Parties, to remain in the territory of the Party carrying out the explosion for the purpose of fulfilling their rights and functions provided for in the Treaty and this Protocol, and to depart from an exit port to be agreed upon by the Parties.

2. At all times while designated personnel are in the territory of the Party carrying out the explosion, their persons, property, personal baggage, archives and documents as well as their temporary official and living quarters shall be accorded the same privileges and immunities as provided in Articles 22, 23, 24, 29, 30, 31, 34 and 36 of the Vienna Convention on Diplomatic Relations of 1961 to the persons, property, personal baggage, archives and documents of diplomatic agents as well as to the premises of diplomatic missions and private residences of diplomatic agents.

3. Without prejudice to their privileges and immunities it shall be the duty of designated personnel to respect the laws and regulations of the State in whose territory the explosion is to be carried out insofar as they do not impede in any way whatsoever the proper exercising of their rights and functions provided for by the Treaty and this Protocol.

### Article VIII

The Party carrying out an explosion shall have sole and exclusive control over and full responsibility for the conduct of the explosion.

### Article IX

1. Nothing in the Treaty and this Protocol shall affect proprietary rights in information made available under the Treaty and this Protocol and in information which may be disclosed in preparation for and carrying out of explosions; however, claims to such proprietary rights shall not impede implementation of the provisions of the Treaty and this Protocol. 2. Public release of the information provided in accordance with Article II or publication of material using such information, as well as public release of the results of observation and measurements obtained by designated personnel, may take place only by agreement with the Party carrying out an explosion; however, the other Party shall have the right to issue statements after the explosion that do not divulge information in which the Party carrying out the explosion has rights which are referred to in paragraph 1 of this article.

### Article X

The Joint Consultative Commission shall establish procedures through which the Parties will, as appropriate, consult with each other for the purpose of ensuring efficient implementation of this Protocol.

Done at Washington and Moscow, on May 28, 1976.

### For the United States of America:

GERALD R. FORD The President of the United States of America

For the Union of Soviet Socialist Republics:

### L. I. BREZHNEV

General Secretary of the Central Committee of the CPSU

### **Agreed Statement**

The Parties to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on Underground Nuclear Explosions for Peaceful Purposes, hereinafter referred to as the Treaty, agree that under subparagraph 2(c) of Article III of the Treaty:

(a) Development testing of nuclear explosives does not constitute a "peaceful application" and any such development tests shall be carried out only within the boundaries of nuclear weapon test sites specified in accordance with the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Underground Nuclear Weapon Tests;

(b) Associating test facilities, instrumentation or procedures related only to testing of nuclear weapons or their effects with any explosion carried out in accordance with the Treaty does not constitute a "peaceful application."

May 13, 1976

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