

No. 29638

**UNION OF SOVIET SOCIALIST REPUBLICS
and
UNITED STATES OF AMERICA**

Treaty on underground nuclear explosions for peaceful purposes (with agreed statement and protocol dated at Washington on 1 June 1990). Signed at Moscow and at Washington on 28 May 1976

Authentic texts: Russian and English.

Registered by the Russian Federation on 16 March 1993.

**UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES
et
ÉTATS-UNIS D'AMÉRIQUE**

Traité relatif aux explosions nucléaires souterraines à des fins pacifiques (avec déclaration approuvée et protocole en date à Washington du 1^{er} juin 1990). Signé à Moscou et à Washington le 28 mai 1976

Textes authentiques : russe et anglais.

Enregistré par la Fédération de Russie le 16 mars 1993.

TREATY¹ BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED STATES OF AMERICA ON UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES

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

Proceeding from a desire to implement Article III of the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Limitation of Underground Nuclear Weapon Tests,² which calls for the earliest possible conclusion of an agreement on underground nuclear explosions for peaceful purposes,

Reaffirming their adherence to the objectives and principles of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water,³ the Treaty on the Non-Proliferation of Nuclear Weapons,⁴ 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 purposes,

Have agreed as follows:

¹ Came into force on 11 December 1990 by the exchange of the instruments of ratification, which took place at Houston, in accordance with article IX (1).

² See p. 123 of this volume.

³ United Nations, *Treaty Series*, vol. 480, p. 43.

⁴ *Ibid.*, vol. 729, p. 161.

Article I

1. The Parties enter into this Treaty to satisfy the 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.

2. This Treaty shall govern all underground nuclear explosions for peaceful purposes conducted by the Parties after March 31, 1976.

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 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;