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Treaty

Limiting the Production of Strategic Delivery Vehicles, Anti-missile
Missile Systems and Fissionable Materials

The Governments of France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, hereinafter referred to as the "Original Parties",

Wishing to take the first step toward achieving in the speediest possible manner an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations, and

Desiring to put an end to the armaments race,
Have agreed as follows:

Article I

1. Each of the Parties to this Treaty undertakes to halt the production at any place under its jurisdiction or control of:

- a. Strategic delivery vehicles enumerated in an annex to this Treaty;
- b. Anti-missile missile systems; and
- c. Fissionable materials for use in nuclear weapons.

2. In order to replace missiles lost through accident or expended in test firing, each of the Parties shall be permitted to produce missiles of the same type as the lost or expended missiles, subject to the following restrictions:

- a. The number of missiles to be produced during any calendar year shall not exceed the number specified for each type in an annex to this Treaty.
- b. The number of missiles to be produced during any month shall not exceed the number lost or expended during the previous month. Adequate evidence of such loss or expenditure shall be furnished to any other Original Party upon request.

Article II

1. The provisions of Article I apply only to the final assembly of strategic delivery vehicles. Manufacture of parts

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for maintenance of existing strategic delivery vehicles shall be permitted and old parts of such vehicles may be replaced by new ones of the same type and character. Adequate evidence of such loss or expenditure shall be furnished to any other original party upon request.

2. The provisions of Article I apply only to fissionable materials for use in nuclear weapons. Production of such materials for power, propulsion and other peaceful uses shall be permitted.

Article III

To ensure adequate verification of compliance with the provisions of this Treaty, the Parties accept the arrangements set forth in the annex on verification.

Article IV

1. This Treaty shall be subject to ratification by the Original Parties, and shall come into force six months after the date of exchange of ratifications.

2. This Treaty shall be registered by the Original Parties with the Secretariat of the United Nations, pursuant to Article 102 of the Charter of the United Nations.

3. Upon its registration, the Treaty shall be open for accession to all States. Instruments of accession shall be deposited with the Secretariat of the United Nations, which shall promptly inform the Original Parties and all States having acceded to this Treaty of the date of each accession. The Treaty shall enter into force for each acceding State six months after the date of its accession.

Article V

1. This Treaty shall be of unlimited duration.

2. Each Party shall have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to this Treaty three months in advance.

Article VI

1. The Original Parties shall consult from time to time with respect to the implementation of this Treaty.

2. In particular, they shall consult if other militarily

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significant States do not accede to this Treaty within two years after its coming into force or if a militarily significant State gives notice of withdrawal from this Treaty.

Article VII

This Treaty, of which the English, French and Russian tests are equally authentic, shall be deposited in the archives of the Original Parties and in the archives of the United Nations. Duly certified copies of this Treaty shall be transmitted to all States by the Secretariat of the United Nations.

In witness whereof, the undersigned, duly authorized, have signed this Treaty.

Done in five copies at _____, the ___ day of _____, one thousand nine hundred and sixty _____.

LBS:esm/13 September 1963

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VERIFICATION ANNEX

Part I. Verification Procedure for the Original Parties

Article I

1. Three months before the coming into force of this Treaty, each of the Original Parties shall submit to the other Original Parties a declaration listing all facilities located at any place under its jurisdiction or control which are engaged in the production of:

- a. strategic delivery vehicles;
- b. anti-missile missile systems; or
- c. fissionable materials for use in weapons.

2. Each of the Original Parties shall also include in the declaration a list of all facilities located at any place under its jurisdiction or control which, whether or not currently engaged in the production of such vehicles, systems or materials, have been engaged therein at any time during the five years preceding the coming into force of this Treaty.

3. The declaration shall contain a general description of each facility listed, and shall give its exact location.

Article II

1. For purposes of verification, France, the United Kingdom of Great Britain and Northern Ireland and the United States shall be considered as one "Verifying Party", and the Union of Soviet Socialist Republics shall be considered as the other "Verifying Party."

2. Upon the coming into force of this Treaty, each of the two Verifying Parties shall be entitled to verify the implementation of this Treaty by the other Party.

Article III

1. Inspectors of one Verifying Party shall be entitled to verify on a continuous basis whether a declared facility of the other Party which is no longer producing any of the items specified in Article I has not resumed their production. Where the danger of such resumption is small, periodic inspection may, at the discretion of the inspections, be substituted for continuous one.

2. In facilities engaged in the production of missiles to the extent authorized by this Treaty, the inspectors shall be entitled to verify on a continuous basis that the production does not exceed the authorized limits.

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For this purpose, they shall be entitled to watch the assembly lines for missiles, as a whole, for major subassemblies and for rocket motors.

3. In facilities engaged in the production of fissionable materials for power, propulsion and other peaceful uses, the inspectors shall be entitled to verify on a continuous basis that no materials are being diverted for use in weapons. Where the productive capacity of a facility is small, periodic inspection may, at the discretion of the inspectors, be substituted for continuous one.

Article IV

1. In each calendar year, each of the two Verifying Parties shall be entitled to six special inspections for the purpose of verifying that a non-declared facility is not engaged in the production of items the production of which is halted or limited by this Treaty.

* 2. The inspected Party shall have the option in each case either to allow the Verifying Party to inspect the inside of the main buildings of the facility, or to permit the establishment of check points around the facility in order to inspect for a period not exceeding twelve months all the shipments to and from the facility. If the facility is suspected or producing fissionable materials and the inspection is limited to the outside of the facility, the inspectors shall be permitted to sample from time to time the soil around the main buildings or the facility, the smoke from its smoke stacks and the water flowing from it.

Article V

1. The Parties to this Treaty shall adopt such internal legislation and administrative measures as may be necessary to enable the inspectors to perform their duties in an effective manner.

2. In conducting inspections, the inspectors shall have due regard for all rights of personal privacy and private property, taking into consideration the laws and customs of the inspected Party to the fullest extent consistent with their duties.

* The clause is framed in this manner because ~~this is that~~ any greater rights would infringe the property rights of U.S. citizens and corporations, having no business with the U.S. government. We can grant access to government facilities and facilities utilized under government contract but not private facilities. (Reference, written legal opinion of OSD Counsel)

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