

The Treaty was  
previously published  
as Miscellaneous No. 3  
(1971), Cmnd. 4678

DISARMAMENT



Treaty Series No. 13 (1973)

# Treaty

on the Prohibition of the Emplacement  
of Nuclear Weapons and Other Weapons  
of Mass Destruction on the Sea-Bed  
and the Ocean Floor and in the  
Subsoil Thereof

London, Moscow and Washington, 11 February 1971

[The United Kingdom instrument of ratification was deposited on 18 May 1972  
and the Treaty entered into force on that date]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
April 1973*

LONDON  
HER MAJESTY'S STATIONERY OFFICE

10½p net

Cmnd. 5266

**TREATY**  
**ON THE PROHIBITION OF THE EMPLACEMENT**  
**OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS**  
**DESTRUCTION ON THE SEA-BED AND THE OCEAN FLOOR**  
**AND IN THE SUBSOIL THEREOF**

The States Parties to this Treaty,

Recognizing the common interest of mankind in the progress of the exploration and use of the sea-bed and the ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining world peace, reduces international tensions and strengthens friendly relations among States,

Convinced that this Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race,

Convinced that this Treaty constitutes a step towards a treaty on general and complete disarmament under strict and effective international control, and determined to continue negotiations to this end,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations,<sup>(1)</sup> in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

**ARTICLE I**

1. The States Parties to this Treaty undertake not to emplant or emplace on the sea-bed and the ocean floor and in the subsoil thereof beyond the outer limit of a sea-bed zone, as defined in Article II, any nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.

2. The undertakings of paragraph 1 of this Article shall also apply to the sea-bed zone referred to in the same paragraph, except that within such sea-bed zone, they shall not apply either to the coastal State or to the sea-bed beneath its territorial waters.

3. The States Parties to this Treaty undertake not to assist, encourage or induce any State to carry out activities referred to in paragraph 1 of this Article and not to participate in any other way in such actions.

**ARTICLE II**

For the purpose of this Treaty, the outer limit of the sea-bed zone referred to in Article I shall be coterminous with the twelve-mile outer limit of the zone referred to in Part II of the Convention on the Territorial Sea and the Contiguous Zone, signed at Geneva on 29 April 1958,<sup>(2)</sup> and shall be measured in accordance with the provisions of Part I, Section II, of that Convention and in accordance with international law.

---

<sup>(1)</sup> Treaty Series No. 67 (1946), Cmd. 7015.

<sup>(2)</sup> Treaty Series No. 3 (1965), Cmnd. 2511.

### ARTICLE III

1. In order to promote the objectives of and ensure compliance with the provisions of this Treaty, each State Party to the Treaty shall have the right to verify through observation the activities of other States Parties to the Treaty on the sea-bed and the ocean floor and in the subsoil thereof beyond the zone referred to in Article I, provided that observation does not interfere with such activities.

2. If after such observation reasonable doubts remain concerning the fulfilment of the obligations assumed under the Treaty, the State Party having such doubts and the State Party that is responsible for the activities giving rise to the doubts shall consult with a view to removing the doubts. If the doubts persist, the State Party having such doubts shall notify the other States Parties, and the Parties concerned shall co-operate on such further procedures for verification as may be agreed, including appropriate inspection of objects, structures, installations or other facilities that reasonably may be expected to be of a kind described in Article I. The Parties in the region of the activities, including any coastal State, and any other Party so requesting, shall be entitled to participate in such consultation and co-operation. After completion of the further procedures for verification, an appropriate report shall be circulated to other Parties by the Party that initiated such procedures.

3. If the State responsible for the activities giving rise to the reasonable doubts is not identifiable by observation of the object, structure, installation or other facility, the State Party having such doubts shall notify and make appropriate inquiries of States Parties in the region of the activities and of any other State Party. If it is ascertained through these inquiries that a particular State Party is responsible for the activities, that State Party shall consult and co-operate with other Parties as provided in paragraph 2 of this Article. If the identity of the State responsible for the activities cannot be ascertained through these inquiries, then further verification procedures, including inspection, may be undertaken by the inquiring State Party, which shall invite the participation of the Parties in the region of the activities, including any coastal State, and of any other Party desiring to co-operate.

4. If consultation and co-operation pursuant to paragraphs 2 and 3 of this Article have not removed the doubts concerning the activities and there remains a serious question concerning fulfilment of the obligations assumed under this Treaty, a State Party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.

5. Verification pursuant to this Article may be undertaken by any State Party using its own means, or with the full or partial assistance of any other State Party, or through appropriate international procedures within the framework of the United Nations and in accordance with its Charter.

6. Verification activities pursuant to this Treaty shall not interfere with activities of other States Parties and shall be conducted with due regard for rights recognized under international law, including the freedoms of the high seas and the rights of coastal States with respect to the exploration and exploitation of their continental shelves.

#### ARTICLE IV

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts, including, *inter alia*, territorial seas and contiguous zones, or to the sea-bed and the ocean floor, including continental shelves.

#### ARTICLE V

The Parties to this Treaty undertake to continue negotiations in good faith concerning further measures in the field of disarmament for the prevention of an arms race on the sea-bed, the ocean floor and the subsoil thereof.

#### ARTICLE VI

Any State Party may propose amendments to this Treaty. Amendments shall enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and, thereafter, for each remaining State Party on the date of acceptance by it.

#### ARTICLE VII

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held at Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine, in accordance with the views of a majority of those Parties attending, whether and when an additional review conference shall be convened.

#### ARTICLE VIII

Each State Party to this Treaty 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 the supreme interests of its country. It shall give notice of such withdrawal to all other States Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it considers to have jeopardized its supreme interests.

#### ARTICLE IX

The provisions of this Treaty shall in no way affect the obligations assumed by States Parties to the Treaty under international instruments establishing zones free from nuclear weapons.

## ARTICLE X

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depository Governments.

3. This Treaty shall enter into force<sup>(3)</sup> after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depository Governments of this Treaty.

4. For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depository Governments shall promptly inform the Governments of all signatory and acceding States of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.

6. This Treaty shall be registered by the Depository Governments pursuant to Article 102 of the Charter of the United Nations.

## ARTICLE XI

This Treaty, the English, Russian, French, Spanish and Chinese texts<sup>(4)</sup> of which are equally authentic, shall be deposited in the archives of the Depository Governments. Duly certified copies of this Treaty shall be transmitted by the Depository Governments to the Governments of the States signatory and acceding thereto.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed this Treaty.

DONE in triplicate, at the cities of London, Moscow and Washington, this eleventh day of February, one thousand nine hundred and seventy-one.

---

<sup>(3)</sup> The Treaty entered into force on 18 May 1972.

<sup>(4)</sup> The foreign language texts of the Treaty are included in United Nations General Assembly Official Records, Supplement No. 28 (A/8028), available through Agency Section, Her Majesty's Stationery Office, P.O. Box 569, London, SE1 9NY. Telephone 01-928 6977, ext. 410.

## SIGNATURES, RATIFICATIONS AND ACCESSIONS

	Date of signature of original deposited with the Government of			Date of deposit of Ratification or Accession (A) with the Government of		
	U.K.	U.S.S.R.	U.S.A.	U.K.	U.S.S.R.	U.S.A.
Afghanistan ...	11.2.71	11.2.71	11.2.71	23.4.71	22.4.71	21.5.71
Argentine Republic ...	3.9.71 <sup>(5)</sup>	3.9.71 <sup>(5)</sup>	3.9.71 <sup>(5)</sup>			
Australia ...	11.2.71	11.2.71	11.2.71			
Austria ...	11.2.71	11.2.71	11.2.71	10.8.72		10.8.72
Belgium ...	11.2.71	11.2.71	11.2.71	20.11.72		20.11.72
Bolivia ...	11.2.71	11.2.71	11.2.71			
Botswana ...			11.2.71			10.11.72
Brazil ...	3.9.71 <sup>(5)</sup>	3.9.71 <sup>(5)</sup>	3.9.71 <sup>(5)</sup>			
Bulgaria ...	11.2.71	11.2.71	11.2.71	26.5.71	16.4.71	7.5.71
Burma ...	11.2.71	11.2.71	11.2.71			
Burundi ...		11.2.71	11.2.71			
Byelorussian Soviet Socialist Republic		3.3.71			14.9.71	
Canada ...	11.2.71	11.2.71	11.2.71	17.5.72 <sup>(5)</sup>	17.5.72 <sup>(5)</sup>	17.5.72 <sup>(5)</sup>
Cameroon, Federal Republic of		11.11.71				
Central African Republic			11.2.71			
China, Republic of <sup>(6)</sup> ...			11.2.71			22.2.72
Colombia ...			11.2.71			
Costa Rica ...			11.2.71			
Cyprus ...	11.2.71	11.2.71	11.2.71	17.11.71	17.11.71	30.12.71
Czechoslovakia ...	11.2.71	11.2.71	11.2.71	11.1.72	11.1.72	11.1.72
Dahomey ...			18.3.71			
Denmark ...	11.2.71	11.2.71	11.2.71	15.6.71	15.6.71	15.6.71
Dominican Republic ...			11.2.71			11.2.72
Ethiopia ...	11.2.71	11.2.71	11.2.71			
Equatorial Guinea ...			4.6.71			
Finland ...	11.2.71	11.2.71	11.2.71	8.6.71	8.6.71	8.6.71
Gambia, The ...	18.5.71	21.5.71	29.10.71			
German Democratic Republic		11.2.71			27.7.71	
Germany, Federal Republic of	8.6.71 <sup>(5)</sup>	8.6.71	8.6.71 <sup>(5)</sup>			
Ghana ...	11.2.71	11.2.71	11.2.71			9.8.72
Greece ...		11.2.71	11.2.71			
Guinea ...		11.2.71	11.2.71			
Guatemala ...			11.2.71			
Honduras ...			11.2.71			
Hungary ...	11.2.71	11.2.71	11.2.71	13.8.71	13.8.71	13.8.71
Iceland ...	11.2.71	11.2.71	11.2.71	30.5.72	30.5.72	30.5.72
Iran ...	11.2.71	11.2.71	11.2.71	26.8.71	6.9.71	26.8.71
Ireland, Republic of ...	11.2.71		11.2.71	19.8.71		19.8.71
Italy ...	11.2.71 <sup>(5)</sup>	11.2.71	11.2.71 <sup>(5)</sup>			
Ivory Coast ...						14.1.72(A)
Jamaica ...	11.10.71	14.10.71	11.10.71			
Japan ...	11.2.71	11.2.71	11.2.71	21.6.71	21.6.71	21.6.71
Jordan ...	11.2.71	11.2.71	11.2.71	1.11.71	13.8.71	17.8.71
Khmer Republic ...			11.2.71			
Korea, Republic of ...	11.2.71 <sup>(5)</sup>		11.2.71 <sup>(5)</sup>			
Laos ...	11.2.71	15.2.71	11.2.71	19.10.71	22.10.71	3.11.71
Lebanon ...	11.2.71	11.2.71	11.2.71			
Lesotho ...			8.9.71			
Liberia ...			11.2.71			
Luxembourg ...	11.2.71	11.2.71	11.2.71			
Malagasy Republic ...			14.9.71			
Mali ...		15.2.71	11.2.71			
Malaysia ...	20.5.71	20.5.71	20.5.71	21.6.72	21.6.72	21.6.72

<sup>(5)</sup> See pages 9-12 for declarations and statements.

<sup>(6)</sup> Not recognised by the United Kingdom.

	Date of signature of original deposited with the Government of			Date of deposit of Ratification or Accession (A) with the Government of		
	U.K.	U.S.S.R.	U.S.A.	U.K.	U.S.S.R.	U.S.A.
Malta ... ..	11.2.71		11.2.71			4.5.71
Mauritius ... ..			11.2.71	3.5.71	18.5.71	23.4.71
Mongolia ... ..	11.2.71	11.2.71		15.11.71	8.10.71	
Morocco ... ..	18.2.71	11.2.71	11.2.71	26.7.71	18.1.72	5.8.71
Nepal ... ..	24.2.71	11.2.71	11.2.71	6.7.71	29.7.71	9.8.71
Netherlands ... ..	11.2.71	11.2.71	11.2.71			
New Zealand ... ..	11.2.71	11.2.71	11.2.71	24.2.72	24.2.72	24.2.72
Nicaragua ... ..			11.2.71			
Niger ... ..			11.2.71			9.8.71
Norway ... ..	11.2.71	11.2.71	11.2.71	28.6.71	28.6.71	29.6.71
Panama ... ..			11.2.71			
Paraguay ... ..			23.2.71			
Poland ... ..	11.2.71	11.2.71	11.2.71	15.11.71	15.11.71	15.11.71
Romania ... ..	11.2.71	11.2.71	11.2.71	10.7.72		10.7.72 <sup>(7)</sup>
Rwanda ... ..			11.2.71			
Saudi Arabia ... ..			7.1.72			23.6.72
Senegal ... ..			17.3.71			
Sierra Leone ... ..	11.2.71	12.2.71	24.2.71			
Singapore ... ..	5.5.71	5.5.71	5.5.71			
South Africa ... ..			11.2.71			
Sudan ... ..	11.2.71	12.2.71				
Swaziland ... ..			11.2.71			9.8.71
Sweden ... ..	11.2.71	11.2.71	11.2.71	28.4.72	28.4.72	28.4.72
Switzerland ... ..	11.2.71	11.2.71	11.2.71			
Tanzania ... ..			11.2.71			
Togo ... ..			2.4.71			28.6.71
Tunisia ... ..	11.2.71	11.2.71	11.2.71	28.10.71	22.10.71	29.10.71
Turkey ... ..	25.2.71	25.2.71	25.2.71	25.10.72		19.10.72
Ukrainian Soviet Socialist Republic ... ..		3.3.71			3.9.71	
Union of Soviet Socialist Republics ... ..	11.2.71	11.2.71	11.2.71	18.5.72	18.5.72	18.5.72
United Kingdom <sup>(7)</sup> ... ..	11.2.71	11.2.71	11.2.71	18.5.72 <sup>(8)</sup>	18.5.72 <sup>(8)</sup>	18.5.72 <sup>(8)</sup>
United States of America ... ..	11.2.71	11.2.71	11.2.71	18.5.72	18.5.72	18.5.72
Uruguay ... ..			11.2.71			
Vietnam, Republic of ... ..			11.2.71			
Yemen, Arab Republic ... ..		23.2.71				
Yemen, People's Democratic Republic of ... ..		23.2.71				
Yugoslavia ... ..	2.3.71	2.3.71	2.3.71			
Zambia ... ..				9.10.72(A)		1.11.72(A)

<sup>(7)</sup> See page 12 for statement.

<sup>(8)</sup> Ratification by the United Kingdom is in respect of the United Kingdom of Great Britain and Northern Ireland, the Associated States (Antigua, Dominica, Grenada, St. Christopher-Nevis-Anguilla, St. Lucia and St. Vincent) and Territories under the territorial sovereignty of the United Kingdom, as well as the State of Brunei and the British Solomon Islands Protectorate.

## DECLARATIONS AND STATEMENTS

### ARGENTINE REPUBLIC

On signing the Treaty, the Government of the Argentine Republic made the following statement:

"El Gobierno de la República Argentina deja expresa constancia que se atiene estrictamente a las Declaraciones formuladas por los Representantes de la Unión de Repúblicas Socialistas Soviéticas, los Estados Unidos de América y la Argentina en la 492a. Sesión Plenaria de la Conferencia del Comité de Desarme, oportunidad en que presentó el Tratado en su versión definitiva, a propósito del sentido y alcances del mismo.

Dijo el Representante de la Unión de Repúblicas Socialistas Soviéticas, al mencionar el Artículo IV del Tratado:

'Como hemos señalado anteriormente, atribuimos gran importancia a este Artículo del Proyecto de Tratado, en el que se examina la relación entre las obligaciones contraídas en virtud del presente Tratado y la posición que adoptan los Estados con respecto a otras convenciones internacionales existentes. Hemos señalado reiteradamente que las disposiciones del Tratado sobre los Fondos Marinos sólo tienen por objeto el cumplimiento de la finalidad que se persigue a este respecto, a saber: impedir que se extienda a los fondos marinos y oceánicos la carrera de armamentos nucleares y de otros tipos de armas de destrucción en masa. Con el Tratado no se aspira a solucionar muchas cuestiones de Derecho Internacional, comprendido el Derecho del Mar, a confirmar o rescindir las obligaciones contraídas por los Estados en virtud de otros instrumentos internacionales, ni prejuzgar las decisiones que puedan adoptarse a este respecto en lo sucesivo. A nuestro juicio, el Artículo IV del Proyecto de Tratado está plenamente en consonancia con esta finalidad. (CCD/PV.492 párrafo 17.)'

Por su parte, el Representante de los Estados Unidos de América expresó:

'Se han hecho varios cambios en el Artículo III para tener en cuenta las opiniones de algunas Delegaciones acerca de los medios de evitar que puedan cuestionarse las diferentes posiciones relativas a los problemas del Derecho del Mar. A este respecto quiero recalcar una vez más una consideración que ha sido fundamental en estas negociaciones: todas las disposiciones de este Tratado, incluidas las relativas a la verificación por medio de la observación, así como a otras actividades de verificación, tienen por finalidad asegurar que el Tratado cumplirá sus objetivos de limitación de las armas, las disposiciones del Tratado no han sido elaboradas para influir en la solución de ninguno de los problemas pendientes relacionados con el Derecho del Mar. Aunque los Estados Unidos han adoptado esta posición desde el principio y creían que los proyectos anteriores respondían a esta finalidad, hemos continuado trabajando con otras Delegaciones para encontrar fórmulas que todos pudiesen aceptar, fórmulas absolutamente imparciales respecto de estas cuestiones. Creemos que el Artículo III tal como está redactado ahora, junto con la cláusula de excepción del Artículo IV, que permanece inalterado, debieran disipar cualquier duda en cuanto a la posibilidad de que el Tratado pueda afectar a los problemas del Derecho del Mar. (CCD/PV.492, párrafo 24.)'

A su vez, el Representante de la República Argentina expresó:

'Una de las preocupaciones permanentes que orientaron nuestra acción fue la de evitar por todos los medios a nuestro alcance que el Proyecto, en virtud de su ámbito de aplicación, pudiese afectar la posición de los diversos estados en las cuestiones del Derecho Marítimo Internacional y, muy especialmente, en aquellas referentes al mar territorial y la plataforma continental. Dijimos y repetimos enfáticamente que un documento de esta índole no podía ni debía, directa o indirectamente, intentar resolver o siquiera interferir en los complejos problemas atinentes a la Ley del Mar (CCD/PV.445, párrafo 48 y S.S., CCD/PV.454, párrafos 10 y 11 y CCD/PV.475/Add. 1, párrafo 16). Por eso, tomamos debidamente nota de las Declaraciones hechas por los coautores en el sentido de que no es esa la finalidad del Tratado y que sus prescripciones en manera alguna están destinadas o pretenden menoscabar, reforzar o incidir en las posiciones de los Estados en dichas cuestiones, como tampoco perjudicar o influir en las decisiones que puedan ser tomadas en el futuro a ese respecto o respaldar o revocar obligaciones contraídas o que pudieran contraerse en virtud de instrumentos internacionales. Sobre la base de estas afirmaciones, a las cuales asignamos el valor de un compromiso formal, como también en virtud de las disposiciones del Artículo IV



—la denominada “Cláusula de Salvaguardia”, a cuya letra y espíritu nos atenemos estrictamente—queremos dejar expresa constancia que interpretamos que las referencias a las libertades de la alta mar en modo alguno implican un pronunciamiento respecto de las distintas posiciones en las cuestiones del Derecho Internacional Marítimo. En el mismo orden de ideas, entendemos que la mención de los derechos de exploración y explotación de los Estados ribereños sobre sus plataformas continentales se efectúa exclusivamente en razón de que serían los que podrían ser más frecuentemente afectados por los procedimientos de verificación. En otras palabras, que excluimos desde ya toda posibilidad de que por vía de este documento se consoliden determinadas posiciones en lo concerniente a las plataformas continentales, en detrimento de otras que sustentan criterios diferentes. (CCD/PV. 492, párrafos 51 y 52.)’

Estas Declaraciones constituyen la interpretación auténtica del Tratado y es en ese entendido que el Gobierno de la República Argentina firma el Instrumento.”

*Translation provided by the Argentine Government*

The Government of the Argentine Republic wishes to specially place on record that it strictly abides by the statements made by the Representatives of the Union of Soviet Socialist Republics, the United States of America and the Argentine Republic in regard to the meaning and scope of the Treaty, at the 492a Plenary Session of the Conference of the Disarmament Committee when the final draft of the Treaty was submitted for consideration.

When referring to Article IV of the Treaty the Representative of the Union of Soviet Socialist Republics stated:

‘As we have said before, we attach great importance to this Article of the Draft Treaty, which concerns the problem of the relationship between the obligation assumed under the present Treaty and the positions of States with respect of other existing international conventions. We have repeatedly stressed that the provisions of the Sea-Bed Treaty are designed solely to accomplish the purpose that the Treaty is designed to serve, namely, to prevent the extension of the race in nuclear and other weapons of mass destruction to the sea-bed. The Treaty is not intended to solve numerous obligations assumed by States under other international agreements, or to prejudice possible future solutions in that sphere. In our view Article IV of the Draft Treaty fully serves that end.’

The Representative of the United States of America in turn stated:

‘A number of changes have been made in Article III in order to take into account the views of certain Delegations concerning means of avoiding any implication of prejudice to differing positions on Law-of-the-Sea issues. In that connexion I want to emphasize again a point which has been fundamental to these negotiations: All the provisions of this Treaty, including those relating to verification through observation as well as other verification activities, are designed to ensure that the Treaty will accomplish its arms-limitation purposes, the provisions of the Treaty are not intended to affect any of the various outstanding problems regarding the Law-of-the-Sea. While the United States has taken this position from the very beginning and has felt that previous drafts were responsive to this need, we have continued to work with other Delegations to find formulations which all could accept as being entirely neutral on these issues. We believe that Article III as now drafted, together with the Article IV disclaimer, which remains unchanged should remove any remaining doubt as to the possibility that the Treaty might affect Law-of-the-Sea issues.’

On the same occasion the Representative of the Argentine Republic stated:

‘One of the constant anxieties which have guided our action has been to avoid, by all the means available to us, the risk that the draft might, by virtue of its sphere of application, affect the position of various States on questions relating to International Maritime Law and most particularly to the territorial sea and continental shelf. We have stated, and emphatically repeated, that a document of this nature could not and should not, either directly or indirectly, attempt to solve or even interfere in the complex problems pertaining to the “Law-of-the-Sea (CCD/PV.445, para. 48 et seq., CCd/PV.454, paras. 10, 11, CCD/PV. 475/aad. 1, para. 16)”. For that reason we have taken due note of the statements made by the co-sponsors of the Draft that this is not the aim of the Treaty and that its provisions are in no way designed to, nor do they seek to, undermine, strengthen, or affect the positions of States, or to prejudice or influence future decisions on those questions, or to support or revoke existing or future obligations

assumed under international instruments. On the basis of those assertions, to which we attach the value of a formal commitment or undertaking, and by virtue of the provisions of Article IV—the so-called Safeguard Clause—by whose letter and spirit we abide strictly, we wish expressly to record the view that we interpret the references to the freedoms of the high seas as in no way implying a pronouncement on the different positions relating to questions connected with International Maritime Law. In the same context, we understand that the reference to the rights of exploration and exploitation by coastal States over their continental shelves is included solely because those could be the rights most frequently affected by verification procedures. In other words, we preclude henceforward any possibility of strengthening, through this document, certain positions concerning continental shelves to the detriment of other based on different criteria.'

These statements constitute the authentic interpretation of the Treaty and it is on this understanding that the Argentine Government signs the instrument.

#### BRAZIL

On signing the Treaty, the Government of the Federative Republic of Brazil made the following statement:

"Nothing in the Treaty shall be interpreted as prejudicing in any way the sovereign rights of Brazil in the area of the sea, the seabed and the subsoil thereof adjacent to its coast. It is the understanding of the Brazilian Government that the word "observation", as it appears in paragraph 1 of article III of the Treaty, refers only to observation that is incidental to the normal course of navigation in accordance with International Law".

#### CANADA

On depositing their instrument of ratification the Government of Canada made the following declarations:

- "(i) In the view of the Canadian Government, the provisions of Article I, paragraph 1, cannot be interpreted as indicating that any state has a right to implant or emplace any weapons not prohibited under Article I, paragraph 1, on the seabed and ocean floor, and in the subsoil thereof, beyond the limits of national jurisdiction, or as constituting any limitation on the principle that this area of the seabed and ocean floor and the subsoil thereof shall be reserved for exclusively peaceful purposes.
- (ii) In the view of the Canadian Government, the provisions of Articles I, II and III cannot be interpreted as indicating that any state but the coastal state has any right to implant or emplace any weapon not prohibited under Article I, paragraph 1, on the continental shelf, or the subsoil thereof, appertaining to that coastal state, beyond the outer limit of the seabed zone referred to in Article I and defined in Article II.
- (iii) In the view of the Canadian Government, the provisions of Article III cannot be interpreted as indicating any restrictions or limitation upon the rights of the coastal state, consistent with its exclusive sovereign rights with respect to the continental shelf, to verify inspect or effect the removal of any weapon, structure, installation, facility or device implanted or emplaced on the continental shelf, or the subsoil thereof, appertaining to that coastal state, beyond the outer limit of the seabed zone referred to in Article I and defined in Article II."

#### FEDERAL REPUBLIC OF GERMANY

On signing the Treaty, the Government of the Federal Republic of Germany made the following statement:

"Die Regierung der Bundesrepublik Deutschland erklärt aus Anlass und in förmlicher Verbindung mit ihrer heutigen Unterzeichnung des Vertrages über das Verbot der Anbringung von Kernwaffen und anderen Massenvernichtungswaffen auf dem Meeresboden und im Meeresuntergrund vom 11. Februar 1971 der Regierung des Vereinigten Königreichs von Grossbritannien und Nordirland, dass mit Unterzeichnung dieses Vertrages keine völkerrechtliche Anerkennung der DDR verbunden ist;

für die Bundesrepublik Deutschland daher auch im Rahmen dieses Vertrages keine völkerrechtlichen Beziehungen zur DDR entstehen."

*Translation provided by the Government of the Federal Republic of Germany*

The Government of the Federal Republic of Germany, on the occasion of and in formal connexion with its signature today of the Treaty of 11 February 1971 on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil Thereof, declares to the Government of the United Kingdom of Great Britain and Northern Ireland that

signature of this Treaty does not imply recognition of the GDR under international law;

therefore, no relations under international law with the GDR shall arise out of this Treaty for the Federal Republic of Germany.

ITALY

On signing the Treaty, the Government of the Italian Republic made the following statement:

“ Il Governo italiano auspica naturalmente che, come previsto dall'articolo V del Trattato, possano essere continuati in buona fede i negoziati concernenti ulteriori misure nel campo del disarmo per la prevenzione di una corsa agli armamenti sul fondo marino ed oceanico e relativo sottosuolo. Esso ritiene che, per gli eventuali accordi su tali ulteriori misure, la questione della delimitazione della zona entro cui queste andrebbero applicate, dovrà essere di volta in volta esaminata e risolta in relazione alla natura delle misure da adottare.”

*Translation provided by the Italian Government*

The Italian Government naturally hope that, as foreseen in Article V of the Treaty, it will be possible to continue in good faith negotiations on further measures in the field of disarmament to prevent an arms race on the seabed and ocean floor and in their subsoil. They believe that, in the case of future agreements on such further measures, the question of the delimitation of the area within which these would find application, shall have to be examined and solved in each instance in relation to the nature of the measures envisaged.

REPUBLIC OF KOREA

On signing the Treaty, the Government of the Republic of Korea made the following statement:

“ The signing by the Government of the Republic of Korea of the present Treaty does not in any way mean or imply the recognition of any territory or régime which has not been recognized by the Government of the Republic of Korea as a State or Government.”

ROMANIA

On depositing their instrument of ratification the Socialist Republic of Romania made the following statement:

“ The Government of the Socialist Republic of Romania considers null and void the ratification—in Washington—by the so called Chiang-Kai-Shek authorities of the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and Ocean Floor and in the Subsoil Thereof, opened for signature in Washington, London and Moscow on February the 11th, 1971, in so far as the only Government having the right to assume obligations on behalf of China and to represent her on international relations is the Government of the People's Republic of China.”

UNITED KINGDOM

In a statement dated 18 February 1971 communicated to all States recognised by the United Kingdom, Her Majesty's Government recalled their view that if a régime is not recognised as the Government of a State, neither signature nor the deposit of any instrument by it, nor notification of any of those acts will bring about recognition of that régime by any other State.