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	SRPP-00	DS-00	EUR-01	FBIE-00	UTED-00	H-01	TEDE-00
	INR-00	IO-00	ADS-00	AC-01	NRRC-00	NSAE-00	NSCE-00
	OIC-02	OMB-01	PA-00	PM-00	PRS-00	ACE-00	P-00
	SP-00	SS-00	IAP-00	TRSE-00	T-00	USIE-00	SSD-01
	PMB-00	DSCC-00	PRM-01	DRL-02	G-00	SAS-00	/014W

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R 281042Z JUN 99  
FM AMEMBASSY LONDON  
TO SECSTATE WASHDC 6881  
INFO USMISSION UNVIE VIENNA  
USMISSION GENEVA  
USMISSION USUN NEW YORK

UNCLAS SECTION 01 OF 03 LONDON 005520

FOR PM/ISP, AC, L/T, NP, EUR/UBI  
UNVIE FOR CTBT, GENEVA FOR CD DEL

E.O. 12958: N/A  
TAGS: KTIA, MARR, PARM, KTBT, XO, UK, CDG, US  
SUBJECT: CTBT: DIEGO GARCIA MONITORING FACILITY

REF: STATE 81244

ON JUNE 24, EMBASSY RECEIVED THE FOLLOWING OFFICIAL LETTER,  
NUMBERED OTI083/001/99 AND DATED 18 JUNE 1999, TO THE U.S.  
AMBASSADOR FROM JOHN WHITE, THE HEAD OF THE FOREIGN OFFICE'S  
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OVERSEAS TERRITORIES DEPT., GIVING HMG APPROVAL FOR THE  
CONSTRUCTION OF A CTBT MONITORING FACILITY AT DIEGO GARCIA.  
EMBASSY WILL POUCH ORIGINAL LETTER TO L/T.

BEGIN TEXT.

YOUR EXCELLENCY

I HAVE THE HONOUR TO REFER TO THE AGREEMENT CONSTITUTED BY  
THE EXCHANGE OF NOTES DATED 30 DECEMBER 1966 BETWEEN THE  
GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND AND THE GOVERNMENT OF THE UNITED STATES OF  
AMERICA CONCERNING THE AVAILABILITY OF THE BRITISH INDIAN

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OCEAN TERRITORY FOR DEFENCE PURPOSES AND TO THE AGREEMENT CONSTITUTED BY THE EXCHANGE OF NOTES DATED 25 FEBRUARY 1976 BETWEEN THE TWO GOVERNMENTS CONCERNING A UNITED STATES NAVY SUPPORT FACILITY ON DIEGO GARCIA, BRITISH INDIAN OCEAN TERRITORY. PURSUANT TO PARAGRAPH 2(B) OF THE FORMER AGREEMENT, I NOW CONVEY THE APPROVAL OF THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE CONSTRUCTION ON DIEGO GARCIA, BRITISH INDIAN OCEAN TERRITORY, OF A MONITORING FACILITY FOR INCLUSION IN THE INTERNATIONAL MONITORING SYSTEM TO BE ESTABLISHED PURSUANT TO THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY, ADOPTED AT NEW YORK ON 10 SEPTEMBER 1996, AND FOR SATISFYING REQUIREMENTS OF THE UNITED STATES OF AMERICA, AND PROPOSE AN AGREEMENT IN THE FOLLOWING TERMS:

## SCOPE OF AND RESPONSIBILITY FOR THE MONITORING FACILITY

- (1) THE GOVERNMENT OF THE UNITED STATES OF AMERICA SHALL
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UNDERTAKE, AT NO EXPENSE TO THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, TO CONSTRUCT, MAINTAIN AND OPERATE A HYDROACOUSTIC MONITORING FACILITY ON DIEGO GARCIA, BRITISH INDIAN OCEAN TERRITORY, TO MEET US REQUIREMENTS AND FOR INCLUSION IN THE INTERNATIONAL MONITORING SYSTEM TO BE ESTABLISHED, PURSUANT TO THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY, BY THE PREPARATORY COMMISSION AND ITS PROVISIONAL TECHNICAL SECRETARIAT. NOTWITHSTANDING THAT THE MONITORING FACILITY SHALL BE CONSTRUCTED, MAINTAINED AND OPERATED BY THE GOVERNMENT OF THE UNITED STATES, THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND SHALL BE THE STATE RESPONSIBLE FOR THE MONITORING FACILITY PURSUANT TO SECTION A OF PART 1 OF THE PROTOCOL OF THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY.

## PURPOSE OF THE MONITORING FACILITY

- (2) THE PURPOSE OF THE MONITORING FACILITY SHALL BE TO PROVIDE DATA TO THE INTERNATIONAL DATA CENTRE AND, AS APPROPRIATE, THE PROVISIONAL OR PROTOTYPE INTERNATIONAL DATA CENTRE, ESTABLISHED BY THE PREPARATORY COMMISSION AND THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION IN ACCORDANCE WITH THE TERMS OF THE TREATY; AND DIRECTLY TO THE UNITED STATES OF AMERICA. AT ITS OWN EXPENSE, THE GOVERNMENT OF THE UNITED STATES OF AMERICA MAY INSTALL AND MAINTAIN A SEPARATE DATA CHANNEL FOR ITS OWN PURPOSES.

## COMPLIANCE WITH THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

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(3) THE MONITORING FACILITY SHALL BE SURVEYED, CONSTRUCTED,  
OPERATED AND MAINTAINED IN ACCORDANCE WITH US REQUIREMENTS

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AND APPLICABLE PROVISIONS OF THE COMPREHENSIVE NUCLEAR TEST-  
BAN TREATY, THE TECHNICAL SPECIFICATIONS APPROVED BY THE  
PREPARATORY COMMISSION ON 18 AUGUST 1998, AND THE ASSOCIATED  
OPERATIONAL MANUALS ADOPTED BY THE PREPARATORY COMMISSION OF  
THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION. THE  
TWO GOVERNMENTS SHALL TAKE ANY MEASURES NECESSARY TO WORK, AS  
APPROPRIATE, WITH THE PREPARATORY COMMISSION OR THE  
COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION TO ENSURE  
THAT THE STATION WILL BE CERTIFIED TO OPERATE AS AN  
INTERNATIONAL MONITORING SYSTEM STATION. GIVEN THE  
OBLIGATION OF THE ORGANIZATION IN ARTICLE IV OF THE TREATY  
AND THE PROVISIONAL OBLIGATION OF THE PREPARATORY COMMISSION  
IN PARAGRAPH 5(C) OF THE ANNEX TO THE RESOLUTION ESTABLISHING  
THE PREPARATORY COMMISSION FOR THE COMPREHENSIVE NUCLEAR TEST-  
BAN TREATY TO MEET THE COSTS OF IMS FACILITIES, THE US AND  
THE UK SHALL COOPERATE IN ANY EFFORT TO OBTAIN FUNDING FROM  
THE ORGANIZATION OR THE PREPARATORY COMMISSION, AS  
APPROPRIATE, FOR SOME OR ALL OF THE COSTS OF ESTABLISHING,  
OPERATING, AND MAINTAINING THIS STATION. INSTALLATION,  
OPERATION, MAINTENANCE, AND FUNDING OF ANY FUTURE UPGRADES OF  
THE STATION FOLLOWING INITIAL CERTIFICATION WILL BE A MATTER  
FOR CONSULTATION AND AGREEMENT BETWEEN GOVERNMENTS.

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	PMB-00	DSCC-00	PRM-01	DRL-02	G-00	SAS-00	/014W

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R 281042Z JUN 99  
FM AMEMBASSY LONDON  
TO SECSTATE WASHDC 6882  
INFO USMISSION UNVIE VIENNA  
USMISSION GENEVA  
USMISSION USUN NEW YORK

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E.O. 12958: N/A

TAGS: KTIA, MARR, PARM, KTBT, XO, UK, CDG, US  
SUBJECT: CTBT: DIEGO GARCIA MONITORING FACILITY

(4) THE GOVERNMENTS SHALL COOPERATE WITH THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION TO PROVIDE A DIRECT CONNECTION FROM THE MONITORING FACILITY TO THE GLOBAL COMMUNICATIONS INFRASTRUCTURE (GCI) OF THE TREATY ORGANIZATION TO ENSURE COMPLIANCE WITH THE COMPREHENSIVE  
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NUCLEAR TEST-BAN TREATY AND ITS PREPARATORY COMMISSION REQUIREMENTS. CONTINUOUS DATA FROM THE MONITORING FACILITY WILL BE TRANSMITTED USING THE GCI, UNINTERRUPTED TO THE INTERNATIONAL DATA CENTRE AND, AS APPROPRIATE, THE PROVISIONAL OR PROTOTYPE INTERNATIONAL DATA CENTRE.

RESPECT FOR BRITISH INDIAN OCEAN TERRITORY LAWS AND REGULATIONS

(5) THE GOVERNMENT OF THE UNITED STATES SHALL, WITH REGARD TO THE CONSTRUCTION AND OPERATION OF THE MONITORING FACILITY, RESPECT ALL APPLICABLE BRITISH INDIAN OCEAN TERRITORY LAWS AND REGULATIONS, AND SHALL, AS FAR AS POSSIBLE, MINIMISE ANY ADVERSE IMPACT THAT THE MONITORING FACILITY MIGHT HAVE ON THE LOCAL ENVIRONMENT.

CONSTRUCTION OF THE FACILITY

(6) THE PLANS FOR THE CONSTRUCTION OF THE MONITORING FACILITY, AND ITS PRECISE LOCATION, SHALL BE AGREED BETWEEN THE TWO GOVERNMENTS, AND THEY SHALL JOINTLY REVIEW THE CONSTRUCTION PLANS WITH THE PROVISIONAL TECHNICAL SECRETARIAT OF THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY PREPARATORY COMMISSION PRIOR TO COMMENCEMENT OF CONSTRUCTION. PRIOR TO, AND DURING, CONSTRUCTION OF THE MONITORING FACILITY, THE GOVERNMENT OF THE UNITED STATES SHALL KEEP THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND INFORMED OF PROGRESS AND OF ANY SIGNIFICANT DIFFICULTIES ENCOUNTERED OR ENVISAGED.

OVERSIGHT

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(7) THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND SHALL HAVE THE RIGHT TO OVERSEE PLANNING, CONSTRUCTION, MAINTENANCE AND OPERATION OF THE MONITORING FACILITY AND, GIVEN ITS OVERALL RESPONSIBILITY FOR THE FACILITY, WILL SERVE AS THE CONDUIT OF INFORMATION ON THIS FACILITY TO THE PREPARATORY COMMISSION OF THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION.

### REDUCED ASSESSMENT

(8) AS SET FORTH IN ARTICLE IV, PARAGRAPH 22 OF THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY, AND THE APPROPRIATE PROVISIONS OF THE FINANCIAL REGULATIONS OF THE PREPARATORY COMMISSION FOR THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION, DECISIONS OF THE PREPARATORY COMMISSION (FOR EXAMPLE, CTBT/PC/III/CRP.2/REV.2 AND CTBT/PC/II/CRP.15/REV.1) AND TAKING INTO ACCOUNT ANY SUBSEQUENT DECISIONS TAKEN BY THE PREPARATORY COMMISSION AND THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION, THE TWO GOVERNMENTS MAY SUBMIT REQUESTS, EITHER INDEPENDENTLY OR JOINTLY, FOR A REDUCED ASSESSMENT TO THE PREPARATORY COMMISSION OR THE EXECUTIVE COUNCIL. PRIOR TO SUCH REQUEST, THE TWO GOVERNMENTS SHALL HAVE AGREED ON THE DIVISION OF ANY FUNDING THAT EACH GOVERNMENT SHALL HAVE CONTRIBUTED TOWARD THE ESTABLISHMENT/UPGRADE OF THE STATION, AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND SHALL HAVE INFORMED THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY PREPARATORY COMMISSION OR THE EXECUTIVE COUNCIL OF THE RESULTS OF SUCH AGREEMENTS.

### NOTIFICATION

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(9) THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND SHALL REGISTER THIS AGREEMENT WITH THE SECRETARY GENERAL OF THE UNITED NATIONS AND SHALL INFORM THE PROVISIONAL TECHNICAL SECRETARIAT OF THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY ORGANIZATION OF ITS CONCLUSION.

### AVAILABILITY OF FUNDS

(10) TO THE EXTENT THAT THE CARRYING OUT OF ANY ACTIVITY OR THE IMPLEMENTATION OF ANY PART OF THIS AGREEMENT DEPENDS UPON FUNDS TO BE APPROPRIATED BY THE CONGRESS OF THE UNITED STATES, IT SHALL BE SUBJECT TO THE AVAILABILITY OF SUCH FUNDS.

### DURATION

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(11) THIS AGREEMENT SHALL CONTINUE IN FORCE FOR AS LONG AS THE BRITISH INDIAN OCEAN TERRITORY AGREEMENT OF 30 DECEMBER 1966 CONTINUES IN FORCE, OR UNTIL SUCH TIME AS THE PARTIES AGREE THAT NO PART OF DIEGO GARCIA IS ANY LONGER REQUIRED FOR THE PURPOSE OF THE FACILITY AS SET FORTH IN PARAGRAPH 2, WHICHEVER OCCURS FIRST. AFTER THIS AGREEMENT HAS BEEN IN

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	PMB-00	DSCC-00	PRM-01	DRL-02	G-00	SAS-00	/014W
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R 281042Z JUN 99  
FM AMEMBASSY LONDON  
TO SECSTATE WASHDC 6883  
INFO USMISSION UNVIE VIENNA  
USMISSION GENEVA  
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UNCLAS SECTION 03 OF 03 LONDON 005520

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FORCE FOR TEN YEARS, EITHER PARTY MAY TERMINATE IT UPON ONE-YEAR NOTICE.

OPTIONS FOR FUTURE INFRASOUND AND RADIONUCLIDE STATIONS

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(12) THE GOVERNMENTS OF THE UNITED STATES OF AMERICA OR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND MAY, SUBJECT TO THE AVAILABILITY OF FUNDS AND MUTUAL AGREEMENT BETWEEN THE TWO GOVERNMENTS, LATER INCLUDE ADDITIONAL

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MONITORING FACILITIES CONSISTING OF AN INFRASOUND STATION AND  
A RADIONUCLIDE STATION.

IF THE GOVERNMENT OF THE UNITED STATES OF AMERICA IS CONTENT  
WITH THESE PROPOSALS, I HAVE THE HONOUR TO PROPOSE THAT THIS  
NOTE TOGETHER WITH YOUR REPLY TO THAT EFFECT SHALL CONSTITUTE  
AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS WHICH SHALL ENTER  
INTO FORCE ON THE DATE OF YOUR REPLY AND SHALL BE KNOWN AS  
THE BRITISH INDIAN OCEAN TERRITORY AGREEMENT 1999.

I HAVE THE HONOUR TO CONVEY TO  
YOUR EXCELLENCY THE ASSURANCE OF MY  
HIGHEST CONSIDERATION

C J B WHITE  
OVERSEAS TERRITORIES DEPARTMENT

END TEXT.

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