May World Law be the Will of God and of the People!

World Legislative Act Number 33

BANNING THE PRODUCTION OF FISSILE MATERIALS FOR NUCLEAR WEAPONS AND OTHER NUCLEAR EXPLOSIVE DEVICES

Short Title

Fissile Production Ban

PREAMBLE

Determined to make significant progress towards general and complete military disarmament under strict and effective international and global verification, particularly rapid progress towards on the implementation of the total abolition of nuclear weapons;

Recalling General Assembly resolution 48/75L of 16 December 1993, which recommended the negotiation of a non-discriminatory, multilateral and internationally and effectively verifiable document banning the production of fissile material for nuclear weapons or other nuclear explosive devices;

Noting that all separated fissile materials can be used to fabricate nuclear weapons and other nuclear explosives;

Noting that World Legislative Act provision #13.02.16. prohibiting exclusively identifiable portions of weapons of mass destruction would benefit by elaboration that would constitute a new statute;

Convinced that the complete, explicit, and effective prohibition of the production and processing of fissile materials for nuclear weapons or other nuclear explosive devices represents an essential step towards the achievement of their common objectives,

The People of Earth, as represented by the provisional World Parliament, hereby enact this World Statute universally banning the production of fissile materials for nuclear weapons and other nuclear explosive devices.

ARTICLE 1. Definitions and Scope

1.1. For the purposes of this Statute:

1.1.01. "Fissile material" means an isotope whose nucleus readily fissions after absorbing a slow (thermal) neutron, emitting 2 or 3 neutrons, and includes uranium-235, plutonium-239 and uranium-233.

1.1.02. "Weapon-usable" fissile material means a fissile material that can be used to fabricate effective nuclear explosives;

1.1.03. "Weapon-usable plutonium" means plutonium of all isotopic compositions, with the exception of plutonium containing more than 80 per cent of the isotope plutonium-238.

1.1.04. "Weapon-usable uranium" or “highly enriched uranium” means uranium enriched to more than 20 per cent in the isotope uranium-235.

1.1.05. “Production" means the production of fissile materials in designated plutonium-production reactors, uranium-enrichment plants or any other production facility.

1.1.06. "Separation of plutonium" means the chemical, laser, and any other separation of plutonium from nuclear reactor fuel elements.

1.1.07. "Processing" means all activities involved in the handling of and operations with weapon-usable fissile materials, including all fabrication of plutonium-fuel elements and the nuclear activities and operations involved in manufacturing nuclear weapons and other nuclear explosives from weapon-usable fissile materials.

1.1.08. "Enrichment plant" means a facility used to increase the proportion of uranium-235 in natural uranium above 0.7 per cent.

1.1.09. "Laser isotope separation" means an enrichment process in which desired isotopes are separated by differentially exciting a vapour gas with a laser.

1.1.10. "Controlled storage," means the storage of weapon-usable fissile material under the international verification system defined in Article IV.

1.1.11. “Fuel elements” means material containing weapons usable plutonium or weapons usable uranium.

1.1.12. “States Parties” means States have given preliminary or final ratification to the *Earth Constitution*.

1.1.13. “Fissile Materials Department” or “FM Department” or “FMD” means the department responsible for tracking, sequestration and security of fissile materials. FMD is a sub-department of the World Disarmament Agency, which is a sub-department of the Remedies and Corrections Department of the Enforcement System.

1.1.14. “Previous nuclear weapon state” means a national or continental government that has had nuclear weapons, but that officially expresses intention to nuclear disarm in accordance with world legislation and the *Earth Constitution*.

1.2. The production, separation and processing facilities to which this Statute apply are listed in Annex 2.

ARTICLE 2 General Obligations

2.1. The separation or processing of weapon-usable plutonium is unlawful. (class 1 felony).

2.2 The production or processing of highly-enriched uranium is unlawful (class 1 felony).

2.3. Each State Party and each World Administrative District shall submit all existing stocks of weapon-usable fissile materials which were under its jurisdiction or control to international and World Disarmament Agency verification and control according to Article 4. (Violation of maintaining, storing or stockpiling unsubmitted stocks - class 1 felony).

2.4. Each State Party and each World Administrative District undertakes not to undertake, permit or facilitate or permit or facilitate any person under its jurisdiction or control to undertake the separation or processing of plutonium or the enrichment of uranium to any level above 20 per cent in the isotope uranium-235.

2.5. State Parties and World Administrative Districts must not supply or permit the supply of weapon-usable fissile materials to any State or individual except in the process of secure sequestration in the jurisdiction and direct control of the World Disarmament Agency (supply – class 1 felony. However, if supply is used in commission of crime at a higher level, same as other level (refer to provision on accomplice, WLA#13.02.06). State Parties and World Administrative Districts must not otherwise export or permit the export or transit through its territory or waters under its jurisdiction of weapons-usable fissile materials or other persons or entities weapon-usable fissile materials except in the process of secure sequestration in the jurisdiction and direct control of the World Disarmament Agency. (illegal transport – class 1 felony.)

2.6. Each State Party or World Administrative District undertakes to submit all facilities either

2.6.1. owned or possessed operated by the respective State Party or World District, or

2.6.2. located in any place or operated by any person under its jurisdiction or control,

which have been used, or which are capable of being used, for the separation or processing of plutonium or the enrichment of uranium to any level above 20 per cent in the isotope uranium-235 or the processing of such material, or the storage of these materials, to international and World Disarmament Agency verification according to Article 4.

2.7. Each State Party and legal and natural persons undertake not to enrich uranium above 20 per cent in the isotope uranium-235 or process such enriched uranium for use as fuel for nuclear reactors in ships. State Parties, legal and natural persons shall submit existing stocks of fissile fuel to international and World Disarmament Agency verification according to Article 4. Fissiles enrichment processing is unlawful (class 1 felony).

2.8. Additional fissile materials prohibitions

2.8.1. Sale of fissile materials is unlawful, including sale as commodity or financial instruments, such as futures or options as linked to the fissile materials. (class 5 felony).

2.8.2. Purchase or fissile materials is unlawful, including purchase as commodity or financial instruments, such as futures or options as linked to the fissile materials (class 6 felony).

2.8.3. Brokerage of fissile materials is unlawful, including sale as commodity or financial instruments, such as futures or options as linked to the fissile materials (class 4 felony).

2.8.4. Advertisement or listing for intended sale, purchase or brokerage of fissile materials is unlawful, including advertisement of financial instruments linked to the fissile materials (class 4 felony)

2.8.5. Possession of financial instruments linked to fissile materials is unlawful (class 5 felony).

2.8.6. Funding for the financing of fissile materials production is unlawful, particularly applicable to public officials at any level of jurisdiction, including motions for funding of fissile materials production from the floor of any deliberative assembly, whether or not the motions are adopted (funding – class 7 felony; attempted funding – class 6 felony).

2.8.7. Attempts, even unsuccessful, to violate provisions of this Statute are unlawful. (Attempted violation, one felony level below the level of the violation, or in the case of class 1 violation, class 3 misdemeanor.)

2.9. States Parties and agents or officials of States Parties, as well as World Administrative Districts, and agents or officials of World Administrative Districts shall report any violation of this Statute directly to the World Enforcement System. The World Court shall grant protection to Citizens making reports in conformance with the Agreement on Privileges and Immunities of the Court. Retaliations against persons for reporting non-compliance or violations is unlawful, and may be subject to civil or criminal penalties (Interference in Earth Federation enforcement – class 3 felony)

ARTICLE 3.
Production, Separation, Processing and Storage Facilities

3.1. Each State Party, legal or natural person involved shall immediately cease all activity prohibited by this Statute. Respective State Parties, legal and natural persons shall engage in essential disclosure, tracking, and security activity required for the closure of the facilities listed in Annex 1 .

3.2. State Parties, legal and natural persons must not construct any new production, separation or processing facility or modify any facility that has been used for any activity prohibited by this Statute for any purpose other than the discontinuation of activities prohibited by this Statute. Production, manufacture or fabrication is unlawful (class 1 felony).

3.3. Each State Party shall:

3.3.1. Shut down, in accordance with Article 4, no later than 60 days after this Statute enters into force, all facilities which have been used or could be used for the production, separation or processing of weapon-usable fissile material and give notice thereof to the Fissile Materials Department;

3.3.2. Submit its existing storage facilities to international and World Disarmament Agency verification according to Article 4; and

3.3.3. Provide access to such facilities for the purpose of the application of the international and World Disarmament Agency verification system defined in Annex 2 to ensure that the facilities remain shut down and are subsequently decommissioned.

ARTICLE 4
The Fissile Materials Department

4.01. This Statute establishes the Fissile Materials Department (hereafter referred to as "the FM Department") to achieve the objective and purpose of this Statute, to ensure the implementation of Statute provisions, including those for international and World Disarmament Agency verification of compliance, and to provide a forum for consultation and cooperation.

4.02. The seat of the FM Department is The Hague.

4.03. The FM Department, shall seek, where practicable, to use existing expertise and facilities, as appropriate, and seek to maximize cost efficiencies, through coordinative arrangements with other relevant international organizations including the International Atomic Energy Agency. The FM Department shall submit annual proposal and report World Parliament, including budgets tabulated in Earth unit of credit and currency, to the following: the Secretariats of the World Parliament; World Disarmament Agency Board of Trustees; the Presidium; All agencies of the Integrative Complex; the Secretary General of the World Administration. The FM Department shall submit arrangement agreement proposals to the World Disarmament Agency Board of Trustees for deliberation. The WDA Board may approve agreements sought by the Fissile Materials Council or by the Technical Secretariat, provided the agreements are not in violation of the *Earth Constitution* or world legislation.

4.04. The FM Department shall verify that all production, separation and processing facilities within the territory, jurisdiction or control of each State Party, each World Administrative District and each World Territory are shut down and do not produce, separate or process fissile materials in violation of Article 2. The FM Department shall control the storage of weapon-usable fissile materials. The International Atomic Energy Agency, including each officer and staff member shall cooperate with the World Disarmament Agency. The Enforcement System and World Disarmament Agency, for at least an interim period and until the World Parliament decides otherwise, has responsibility for the verification of other nuclear facilities, such as nuclear-power reactors. The World Disarmament Agency may assign the verification to the Fissile Materials Department, or may otherwise inspect and verify compliance of other nuclear facilities with this Statute and all world law.

4.05. The first fifty nations to give preliminary or final ratification to the *Earth Constitution* shall each name one member of the World Disarmament Board of Trustees (WLA#1.4.2). Other sources of members apply as specified in World Legislative Act #1.

4.06. Financing. The World Financial Administration shall arrange payment for the costs of the FM Department's activities.

The World Financial Administration may oblige previous nuclear weapon states to cover costs of security and sequestration of respective fissile materials, but since previous nuclear weapons states might not be solvent for paying these costs, a world federal decommissioning fund is appropriated to the Earth Financial Credit Corporation to assist states that might have financial difficulties in meeting respective obligations. If a previous nuclear weapon state is not solvent for meeting respective costs, respective state shall request loan for at least the anticipated costs from the

Earth Financial Credit Corporation. Conditions for loans measure the intrinsic value at time of loan, not the face value of respective national currencies. Earth Financial Credit Corporation may make loans only in Earth Credit and Currency and debtor must remit in Earth Credit or Currency. Request for loan implies at least preliminary ratification of the *Earth Constitution* by the respective national government. National officers processing loans for respective countries must perform a solemn undertaking of allegiance to the *Earth Constitution.* Loans from the EFCC are for specific purposes. The EFCC must not lump loans or debts made for payment of different purposes into the same EFCC national accounts, but instead establish separate accounts for the same national government, since the World Parliament addresses the costs and accounts for different purposes in separate appropriation sections.

4.07. The organs of the FM Department are hereby reconfirmed or established: the World Disarmament Agency Board of Trustees, the Fissiles Material Council (FM Council), the Fissile Materials Technical Secretariat (FM Technical Secretariat), and the Fissile Materials Data Centre.
4.08. The World Disarmament Agency Board of Trustees shall adopt FM Department rules of procedure. Board rules may include provisions concerning the number of terms of office for members of the FM Council, which officers may serve on the FM Council, and for the rotation of offices.
4.09. The FM Department may establish such subsidiary bodies as are necessary for the performance of FM Department functions.
4.10. The FM Department may establish a permanent headquarters.
4.11. The FM Department has legal personality and enjoys in the territory of each Party and World District whatever legal capacity is necessary to perform FM Department functions and achieve the objectives of this Statute.
4.12. World Parliament determines the privilege and immunities to be enjoyed by the FM Department, the FM Technical Secretariat and representatives attending meetings in the territory of a State Party. To start, the privileges and immunities are at least those as established for Representatives of the People, in conformance with the *Agreement on Privileges and Immunities of the World Court.*

ARTICLE 5
Fissile Materials Responsibilities of the Board of Trustees of the World Disarmament Agency
5.1. The **Board of Trustees of the World Disarmament Agency** ("the "WDA Board") is the directing organ of the FM Department. The WDA Board composition is defined in World Legislative Act #1, establishing the World Disarmament Agency.
5.2. The WDA Board shall:
5.2.1. Oversee the implementation of this Statute and review compliance with Statute provisions;
5.2.2. oversee the activities of the FM Council and the FM Technical Secretariat;
5.2.3. elect the members of the FM Council; and
5.2.4. appoint the Director of the FM Technical Secretariat.

ARTICLE 6. The Fissile Materials Council
6.1. The Fissile Materials Council (FM Council) is the executive organ of the FM Department. FM Council is accountable to the WDA Board and shall carry out the functions entrusted to it under this Statute.
In particular, FM Council shall supervise the activities of the FM Technical Secretariat.
6.2. The FM Council shall consist of 24 members elected by the WDA Board for two-year terms with due regard to equitable geographical distribution. WDA Board shall elect Twelve members from among world citizens national residents from those States that have produced the largest stocks of weapon-usable fissile materials and elect the other twelve members from among world citizens national residents in State that have produced no weapon-usable fissile materials.
6.3. The FM Department shall conclude a Comprehensive Verification Agreement with each State Party to the *Earth Constitution*. The FM Council shall determine the content of Comprehensive Verification Agreements, which shall include an undertaking by the Head of State concerned to accept international and World Disarmament Agency verification in respect of all respective facilities covered by Article 2.5. of the Statute.
6.4 Each Member of the FM Council must be a personal ratifier of the *Earth Constitution,* and must take a solemn undertaking of allegiance to the *Earth Constitution* and world legislation.

ARTICLE 7.
The Fissile Materials Technical Secretariat and the International Data Centre

7.1. The Fissile Materials Technical Secretariat (FM Secretariat) shall assist the World Disarmament Agency Board of Trustees and the FM Council in the performance of respective duties. FM Secretariat shall perform the verification and other functions entrusted to FM Secretariat by this Statute, as well as those functions delegated to FM Secretariat by the WDA Board or the FM Council in accordance with this Statute.

7.2. The FM Council nominates qualified persons to serve as the Fissile Materials Director (FM Director). The WDA Board confirms or reject the nomination of the FM Director for a five-year term. The FM Director heads the FM Secretariat.

7.3. The FM Director shall appoint the staff of the Secretariat and shall establish the rules to be followed by the FM Department's inspectors.

7.4. The FM Director shall communicate the inspectors' names, nationalities and ranks to all States Parties to the *Earth Constitution*, as well as to other pertinent agencies of the Enforcement System,.

7.5. The FM Secretariat includes the International Data Centre.

7.6. In discharging its responsibilities for verification as specified in this Statute, in cooperation with the States Parties, the FM Secretariat shall:

7.6.1. Make arrangements to receive and distribute data and reports relevant to verification of compliance with this Statute in accordance with Statute provisions;

7.6.2. Through the International Data Centre, which is the focal point within the FM Secretariat for data storage and data processing:

7.6.2.1. Receive and initiate requests for data;

7.6.2.2. Receive data, resulting from the process of consultation and clarification, from on-site inspections and from confidence-building measures; and

7.6.2.3. Receive other relevant data from States Parties and international organisations in accordance with this Statute.

7.6.3. Process, analyse and report on data according to agreed procedures so as to permit the effective verification of compliance with this Statute and to contribute to the timely resolution of any concerns.

ARTICLE 8
National Implementing Measures

Each State Party to the *Earth Constitution* shall, in accordance with respective constitutional processes, adopt the necessary measures to implement the Statute. In particular, the State Party shall:

8.1. Report to the Enforcement System natural and legal persons anywhere on the State Party's territory or in any place under the State Party jurisdiction or control from undertaking any activity prohibited by this Statute;

8.2. Not permit in any place under the State Party jurisdiction or control any activity prohibited by this Statute;

8.3 Enact cooperative law enforcement legislation with respect to all activities prohibited by this Statute, to facilitate trans-jurisdictional due process to the world federal level; and

8.4. Extend cooperative law enforcement legislation, in conformity with international and world law, to any activity prohibited by this Statute undertaken anywhere by persons possessing the State Party nationality and to vessels flying the State Party's flag.

ARTICLE 9. Settlement of Disputes

9.1. The Enforcement System, together with States Parties, legal and natural persons shall settle disputes that arise concerning the application or interpretation of this Statute in accordance with the provisions of the *Earth Constitution* and world legislation.

9.2. When a dispute arises between two or more State Parties to this Statute, or between one or more States Parties and the FM Department, relating to the application or interpretation of this Statute, a State Party following notification by another State Party shall consult with the other Party or Parties concerned for expeditious settlement of the dispute by negotiation or by other peaceful means of the Parties' choice.

9.3. If expeditious settlement cannot be reached within thirty days of the first notification by a party, either State Party may refer the dispute to the International Court of Justice for binding determination in conformity with the Statute of the Court. The States Parties involved shall keep the Council informed of actions being taken.

ARTICLE 10. Duration

This Statute is of unlimited duration.

ARTICLE 11. Status of Annexes
The Board of Trustees of the World Disarmament Agency shall determine the list of facilities and materials that are to be inspected, graded and verified, based upon reports of the FM Department, the FM Council and the FM Technical Secretariat. provisional World Parliament or World Parliament may deliberate on the confirmation of Annexes approved by the Board of Trustees of the World Disarmament Agency. However, the Annexes adopted by the Board of Trustees form an integral part of this Statute, unless the World Parliament decides otherwise. Any reference to this Statute includes the Annexes.

ARTICLE 12. Signature
This Statute is not open to any State for signature before Statute entry into force. However, the Assembly of States Parties of the Rome Statute familiy of Statutes may deliberate this Statute for the Statute's direct approval by the Assembly of States Parties. The Assembly of States Parties may not veto this Statute, but may make the Assembly's recommendation for item adjustments to the House of Counsellors.

ARTICLE 13. Ratification
This Statute is not subject to ratification or veto by national States. However, the provisional World Parliament encourages national states to consider and simultaneously give preliminary ratification to the *Earth Constitution* when there are approximately 25 national governments strongly considering implementation of the promised and universal recognized Universal Declaration of Human Rights Article 21.3 (UDHR-21.3) requiring universal suffrage for confirmation of the authority of government. The *Earth Constitution* is subject to direct ratification through measured electoral process. The People reserve the right to amend the *Earth Constitution* through respective constituent processes until the People find the *Earth Constitution* acceptable.

ARTICLE 14. Accession
Any national State which does not ratify the *Earth Constitution* before the initial 25 States Parties may accede to *the Earth Constitution* at any time thereafter.

ARTICLE 15. Entry into force
15.1. This Statute enters into force thirty days after the date of the deposit of the twenty-fifth national instrument of preliminary ratification of the *Earth Constitution*, or thirtieth instrument of ratification, provided World Administrative District final ratifications are counted in the number and at least five of the ratifications are final ratifications by World Administrative Districts.
15.2. For national States whose instruments of ratification or accession are deposited after the entry into force of this Statute, civil provisions shall enter into force on the 30th day following the date of deposit of their instrument of ratification or accession. However, criminal provisions of the Statute enter into force on the thirtieth day after the declaration of the first operative stage of Earth Federation in terms with Article 15.1. of this Statute, regardless of whether a national government has ratified the *Earth Constitution* or not, and regardless of where the crime is geographically committed. This is fully legitimate on the grounds that criminal law does not depend on the consensus or acquiescence of the criminals, and on the grounds that the People of Earth have not forbidden this legal enforcement under Universal Declaration of Human Rights 21.3., which provision is also guaranteed under numerous provisions of the *Earth Constitution,* and on the grounds that to secure the other rights recognized in the *Earth Constitution*, world legislation, UDHR, and other international human rights instruments, the criminal law enforcement process must take place universally.
However, any amnesty provisions of world legislation also apply to the criminal provisions of this Statute
3. For World Territories or World Federal Zones, including the world oceans and Antarctica, this Statute enters into force thirty days after the adoption of the Statute by the provisional World Parliament.
15.3. For World Territories or World Federal Zones, this Statute enters into force thirty days after the adoption of the Statute by the provisional World Parliament.

ARTICLE 16. Reservations
This Statute allows no reservations

ARTICLE 17. Depositary
17.1. The Presidium of the Earth Federation is the depository of this Statute. The Presidium, or Standing Executive Cabinet of the provisional World Parliament shall, inter alia:
17.1.1. Promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of

ratification or accession and the date of entry into force of this Statute;
17.1.2. Transmit duly certified copies of this Statute to the Governments of all *Earth Constitution* signatory and acceding States, as well as to other national governments and world territories with fissile material production capacity or fissile materials, or Web-post, with notification made to the respective national governments;
17.1.3. Transmit copy of the Statute to the Secretariat of the Assembly of States Parties; and
17.1.4. The Presidium or Standing Executive Cabinet may send copy of the Statute to the Secretary-General of the United Nations.

ARTICLE 18. Authentic texts
As soon as feasible the Commission for Legislative Review shall submit authenticated language versions of this Statute, of which the Arabic, Chinese, English, French, Russian, Spanish and Esperanto texts are equally authentic, to the Presidium. The Commission for Legislative Review may also transmit the authenticated language versions to the Secretary-General of the United Nations.

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May this Act reflect
That Which would be God's Blessing,
the Will of Sacred Creation
and the People of Earth!

IN WITNESS WHEREOF the undersigned, being duly authorised to that effect, have signed this Statute.

Eugenia Almand, Secretary
Provisional World Parliament

Done at Tripoli, on the 12th day of April, 2006.

ANNEX 1 Verification
1.1. The Fissile Materials Council shall prepare and submit to the World Disarmament Board of Trustees a list of fissile materials and facilities as proposed Annex 2. The World Disarmament Agency Board of Trustees shall deliberate and make decision regarding fissile materials and facilities list as submitted in proposed Annex 2. Annex 2 as adopted by the WDA Board is binding under the terms of this Statute, but the World Parliament may confirm or adjust Annex 2 by simple majority vote. The Fissile Materials Department shall ensure that all facilities and materials listed in Annex 2 are verified in accordance with this Statute. For this purpose the FM Department shall send inspectors into the facilities designated in Annex 2.
1.2. Methods used by the FM Department to monitor compliance with the Statute include: declarations, material accountancy, operating records, containment, surveillance, third party information and inspections.
1.3. Inspections may be ad hoc, routine or challenge. The legal basis of the Fissile Materials Department power to make challenge inspections are the Comprehensive Verification Agreements referred to in Article 6.3. of the Statute.
1.4. The Fissile Materials Department shall initially inspect promptly after the World Disarmament Agency Board of Trustees declares the facility. Thereafter, FM Department shall conduct inspection at least once a year. The FM Department shall normally give a minimum of 24 hours' notice of an ad hoc or routine inspection to the State Party or World Territory concerned.
1.5. The Fissile Materials Director shall transmit inspection reports to the World Disarmament Agency Board of Trustees and shall inform the WF Council of all cases of non-compliance with the Statute. In the event of non-compliance, the Council shall call upon the State Party concerned to fulfil respective obligations under the Statute within thirty days and shall report all breaches of the Statute to the World Attorneys General Office.
1.6. In case of suspected willful abuse, willful neglect or other willful non-compliance with the Statute, or other felonious violation of world legislation, the Fissile Materials Director shall fill out warrant service application forms, submitting these together with description of evidence, in triplicate to the World Attorneys General Central Office, to the investigations department, and to the Apprehension and Arrest Department of the Enforcement System.

ANNEX 2. (Annex 2 shall comprise a list and description of facilities and fissile materials, to be part of the Statute here as described in Annex 1 and other provisions of the Fissile Production Ban Statute.)

For more information, go to www.wcpa.biz,
www.worldproblems.net, www.icc-cpi.int ,
Govt_rules@yahoo.com gmartin@radford.edu
Fax: 81-771-250061, 94-1-12-345483, 1-540-831-5919
Original non-adapted version full text at
www.greenpeace.org/raw/content/international/press/reports/greenpeace-draft-treaty-bannin.pdf