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Statement By Commissioner Buchheim

November 1, 1978

Mr. Commissioner, I would like to make the following statement regarding the Agreed Statement which we have just initialed.

FIRST, in paragraph 6 of Section II of the Agreed Statement of November 1, 1978, the Parties agreed that the term "tested in an ABM mode" shall not be applied to radars, including phased-array radars, which are constructed and used only as instrumentation equipment for testing of any types of weapons or military equipment. With respect to such radars the Parties understand that:

- (a) phased-array radars which have a potential exceeding three million may be located only at the test ranges referred to in Article IV of the ABM Treaty;
- (b) phased-array radars which have a potential not exceeding three million and which make measurements on strategic ballistic missiles or their elements in flight trajectory may be located only at the test ranges referred to in Article IV of the ABM Treaty, or at locations to which strategic ballistic missiles are launched for testing;
- (c) phased-array radars which have a potential not exceeding three million and which do not make measurements on strategic ballistic missiles or their elements in flight trajectory may be located anywhere for instrumentation or other purposes not inconsistent with the ABM Treaty;
- (d) non-phased-array radars may be located anywhere for instrumentation or other purposes not inconsistent with the ABM Treaty.

SECOND, in connection with paragraph 7 of Section II of the Agreed Statement of November 1, 1978, the Parties understand that ABM radars, radars for early warning of strategic ballistic missile attack, radars used for tracking objects in outer space or as national technical means of verification, as well as radars constructed and used only as instrumentation equipment for testing of any types of weapons or military equipment can, when operating in accordance with their missions, perform the function inherent to them of tracking strategic ballistic missiles or their elements in flight trajectory.

In addition to the aforementioned radars, both Parties have other radars, including phased-array radars, intended for various missions. When these radars are operating in accordance with their missions, strategic ballistic missiles or their elements might pass through the fields of view of these radars. The passing of strategic ballistic missiles or their elements through the fields of view of such radars will not be equated with tracking of such missiles by these radars and cannot give grounds for either Party to consider that in these cases the radars are being tested in an ABM mode.

If ambiguities arise in the future regarding application of the term "tested in an ABM mode" to individual radars which track strategic ballistic missiles or their elements in flight trajectory, or regarding determination of whether these radars are ABM radars or radars which are not ABM radars, such questions will be subject to consultation in the Standing Consultative Commission in accordance with Article XIII of the ABM Treaty.

THIRD, the Parties, in connection with the Agreed Statement Regarding Certain Provisions of the ABM Treaty, have the common understanding that the Agreed Statement will be used by the Parties in their implementation of those provisions of the ABM Treaty, beginning on the date of initialing of the Agreed Statement by the U.S. and USSR SCC Commissioners, that is, November 1, 1978. Like the statements in connection with paragraphs II.6 and II.7 of the Agreed Statement, this common understanding constitutes a component part of the general understanding reached between the Parties with regard to certain provisions of the ABM Treaty.