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Geneva  
November 1, 1978

### **Standing Consultative Commission**

#### **Agreed Statement**

#### **Regarding Certain Provisions of Articles II, IV, and VI of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, and the Utilization of Air Defense Radars at the Test Ranges Referred to in Article IV of that Treaty**

In accordance with the provisions of the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems of May 26, 1972, hereinafter referred to as the Treaty, the Parties thereto have, within the framework of the Standing Consultative Commission, reached mutual understanding regarding the following:

#### **I. Test Ranges Referred to in Article IV of the Treaty**

1. The test ranges referred to in Article IV of the Treaty are any test ranges at which an ABM system or at least one ABM launcher, regardless of whether or not it contains an ABM interceptor missile, or one ABM radar is located or constructed for purposes of testing.
2. Any other types of weapons or military equipment may also be located at such test ranges for testing according to their mission or for range safety purposes. Such location, testing, or use of these other types of weapons or military equipment, provided it is consistent with the provisions of the Treaty, shall not constitute a basis for considering them ABM system components.
3. The current test ranges referred to in Article IV of the Treaty are those test ranges which each Party had on the date of signature of the Treaty, that is, on May 26, 1972. Both the USA and USSR had on May 26, 1972, and have at the present time, two current test ranges: for the USA in the vicinity of White Sands, New Mexico, and on Kwajalein Atoll and for the USSR in the vicinity of Sary Shagan, Kazakhstan, and on the Kamchatka Peninsula.
4. Each Party may establish test ranges referred to in Article IV of the Treaty as "additionally agreed" and locate therein for testing ABM systems or their components as they are defined in Article II of the Treaty, provided that the establishment of such ranges is consistent with the objectives and provisions of the Treaty and, in particular, with the obligations of each Party provided for in Article I of the Treaty not to deploy ABM

systems for a defense of the territory of its country and not to provide a base for such a defense.

5. In the event of establishment of an additional test range by either Party, the Party carrying out such action shall provide, within the framework of the Standing Consultative Commission, notification of the location of such a test range no later than thirty days after the beginning of any construction or assembly work, other than earthwork (excavation), associated with locating or constructing at that test range an ABM launcher or antenna (array), ABM radar antenna structures, or an antenna pedestal support which is not a part of an ABM radar building. After presentation of such notification and, if necessary, clarification in the Standing Consultative Commission of any aspects of this notification which are not clear to the Party being notified, the test range being newly established will be considered an "additionally agreed test range," referred to in Article IV of the Treaty.

## **II. The Term "Tested in an ABM Mode" Used in the Treaty**

1. The term "tested in an ABM mode," which is used in Article II of the Treaty for defining ABM system components, refers to ABM interceptor missiles, ABM launchers, or ABM radars, which are tested in an ABM mode separately or in conjunction with other ABM system components after the date of signature of the Treaty, that is after May 26, 1972. The term does not refer to components which were tested by the Parties in an ABM mode prior to that date.

2. Testing in an ABM mode is the testing, which, in accordance with the provisions of Articles III and IV of the Treaty regarding locations of ABM systems or their components, is carried out only at test ranges or in an ABM system deployment area, for the purpose of determining the capabilities of an ABM system or its individual components (ABM interceptor missiles, ABM launchers, or ABM radars) to perform the functions of countering strategic ballistic missiles or their elements in flight trajectory.

3. As applied to testing of ABM interceptor missiles, ABM launchers, or ABM radars, the term "strategic ballistic missiles or their elements in flight trajectory," used in the Treaty, also refers to ballistic target-missiles which, after being launched, are used for testing these ABM system components in an ABM mode, and the flight trajectories of which, over the portions of the flight trajectory involved in such testing, have the characteristics of the flight trajectory of a strategic ballistic missile or its elements.

4. The term "tested in an ABM mode" used in Article II of the Treaty refers to:

(a) an ABM interceptor missile if while guided by an ABM radar it has intercepted a strategic ballistic missile or its elements in flight trajectory regardless of whether such intercept was successful or not; or if an ABM interceptor missile has been launched from an ABM launcher and guided by an ABM radar. If ABM interceptor missiles are given the capability to carry out interception without the use of ABM radars as the means of guidance, application of the term "tested in an ABM mode" to ABM interceptor missiles

in that event shall be subject to additional discussion and agreement in the Standing Consultative Commission;

(b) an ABM launcher if it has been used for launching an ABM interceptor missile;

(c) an ABM radar if it has tracked a strategic ballistic missile or its elements in flight trajectory and guided an ABM interceptor missile toward them regardless of whether the intercept was successful or not; or tracked and guided an ABM interceptor missile; or tracked a strategic ballistic missile or its elements in flight trajectory in conjunction with an ABM radar, which is tracking a strategic ballistic missile or its elements in flight trajectory and guiding an ABM interceptor missile toward them or is tracking and guiding an ABM interceptor missile.

5. The provisions of paragraph 4 of this Section shall be applied taking into account Article VI, subparagraph (a), of the Treaty concerning the obligations of the Parties not to give missiles, launchers, or radars, other than ABM system components, capabilities to counter strategic ballistic missiles or their elements in flight trajectory. The term "tested in an ABM mode" shall not be applied to radars for early warning of strategic ballistic missile attack, or to radars, including phased-array radars, used for the purposes of tracking objects in outer space or as national technical means of verification.

6. 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.

7. The term "tested in an ABM mode" shall not be applied to a radar, including a phased-array radar, which is not an ABM radar or a radar referred to in paragraphs 5 and 6 of this Section, if strategic ballistic missiles or their elements passed through the field of view of the radar while it was operating in accordance with its mission, and it was not, at that time, performing functions inherent only to an ABM radar, and it was not functioning in conjunction with an ABM radar. In the event that 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, the Parties, in accordance with Article XIII of the ABM Treaty, will consider such questions in the Standing Consultative Commission and resolve them on a mutually acceptable basis.

8. Deployment of radars of a type tested in an ABM mode, except as provided in Articles III and IV of the Treaty, to carry out any functions would be inconsistent with the obligation of each Party not to provide a base for an ABM defense of the territory of its country.

### **III. Utilization of Air Defense Radars at the Test Ranges Referred to in Article IV of the Treaty**

1. Utilization of air defense radars located at or near a test range to carry out air defense functions, including providing for the safety of that range, is not limited by the provisions of the Treaty and is independent of the testing carried out at that range.

2. When air defense components and ABM system components are co-located at a test range, the Parties, in order to preclude the possibility of ambiguous situations or misunderstandings, will refrain from concurrent testing of such air defense components and ABM system components at that range.

3. In utilizing air defense radars as instrumentation equipment at test ranges the Parties will not use such radars to make measurements on strategic ballistic missiles or their elements in flight trajectory.