

synthetic aperture radar with a resolution of 3 metres.<sup>2</sup> The Treaty also contains provisions for the periodic upgrade of the existing sensors, by mutual agreement, and for the introduction of new types of sensors.

In terms of applying an Open Skies regime in another area, the current negotiations over sensors have raised two general points which would have to be addressed if it were decided to include sensors in the regime. First, the participants must have a general idea of what they are looking for with these sensors. If widely differing views exist with regard to the purpose of the overflights, it will be very difficult to agree on a set of acceptable sensors or their resolution capabilities. Second, it will be necessary to ensure that any sensors which are selected for use in a regional Open Skies regime are equally available to all participants.

#### AIRCRAFT OWNERSHIP

A closely related issue to that of the types and capabilities of the sensors to be used is the question of who will own and operate the aircraft engaged in Open Skies flights over a given country. The issue was one of the most difficult in the recently completed negotiations. The original NATO position held that each country would use its own aircraft when overflying another regime participant. The Soviets countered with the argument that this would expose them to the danger of hidden sensors, which they worried they would not be able to detect under the aircraft inspection rules proposed by NATO. Accordingly, the Soviets proposed that a jointly funded and operated pool of aircraft be established to undertake the overflights on behalf of all participants. The NATO countries responded with the concern that such a pool would be expensive to establish and operate.

The Soviets soon modified their initial stance with the proposal that the country being overflown have the right to choose whether the country doing the overflight would bring its own aircraft, or use one supplied by the host. In practice, the Soviets conceded, they would always choose to supply the aircraft. In the final analysis, they would not accept a regime which would allow another country to bring its own aircraft to the USSR, with no right of refusal for the host. After the dissolution of the USSR, the Russian Federation adopted this position also.

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<sup>2</sup> See Treaty on Open Skies, Article IV, paras. 1, 2. Some disagreement exists as to how the resolution capability of the agreed sensors would be measured. A technical working group has been addressing this question since the end of the negotiations.