

No. 26925

**UNION OF SOVIET
SOCIALIST REPUBLICS
and
FRANCE**

Agreement concerning the prevention of incidents at sea outside territorial waters (with annex). Signed at Paris on 4 July 1989

Authentic texts: Russian and French.

Registered by the Union of Soviet Socialist Republics on 16 November 1989.

**UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES
et
FRANCE**

Accord sur la prévention des incidents en mer au-delà de la mer territoriale (avec annexe). Signé à Paris le 4 juillet 1989

Textes authentiques : russe et français.

Enregistré par l'Union des Républiques socialistes soviétiques le 16 novembre 1989.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE FRENCH REPUBLIC CONCERNING THE PREVENTION OF INCIDENTS AT SEA OUTSIDE TERRITORIAL WATERS

The Government of the Union of Soviet Socialist Republics and the Government of the French Republic, hereinafter referred to as the Parties,

Desiring to ensure the safety of navigation of ships and of the flight of aircraft belonging to their respective armed forces outside territorial waters,

Guided by the principles and rules of international law,

Have agreed as follows:

Article I

For the purposes of this Agreement:

1. “Ship” means:

(a) A warship belonging to the armed forces of one of the Parties bearing the external marks distinguishing warships of its nationality, under the command of an officer duly commissioned by the Government of the Party concerned and whose name appears in the appropriate service list or an equivalent document, and manned by a crew which is under regular military discipline;

(b) An auxiliary vessel belonging to the armed forces of one of the Parties and authorized to fly the auxiliary vessel flag where such a flag has been established by the Party concerned.

2. “Aircraft” means any military manned aircraft.

3. “Formation” means an ordered arrangement of two or more ships navigating together and making joint manoeuvres.

4. “1972 Collision Regulations” means the International Regulations for Preventing Collisions at Sea annexed to the Convention on the International Regulations for Preventing Collisions at Sea, signed at London on 20 October 1972.²

Article II

The Parties shall take measures to instruct the commanding officers of their ships to observe strictly the spirit and letter of the 1972 Collision Regulations.

The Parties recognize that freedom of navigation (operation) outside territorial waters is based on the principles and norms established and recognized in international law.

¹ Came into force on 4 July 1989 by signature, in accordance with article VIII.

² United Nations, *Treaty Series*, vol. 1050, p. 16.

Article III

1. Except when required to maintain course and speed under the 1972 Collision Regulations, ships of the Parties operating in proximity to each other shall in all cases remain well clear to avoid risk of collision.

2. Ships of one Party meeting or operating in the vicinity of a formation of the other Party shall, in compliance with the 1972 Collision Regulations, manoeuvre in a manner which does not hinder the evolutions of that formation.

3. Formations shall not conduct manoeuvres in areas of high-density traffic where international traffic separation schemes are in effect.

4. Ships of one Party engaged in surveillance of ships of the other Party must remain at a distance which avoids the risk of collision and shall also avoid executing manoeuvres which might impede the operation of or endanger the ships under surveillance.

Except when required to maintain course and speed under the 1972 Collision Regulations, a ship engaged in surveillance shall take positive early action so as not to impede the operation of or endanger the ships under surveillance.

5. When ships of the two Parties are within sight of each other, they shall, in order to indicate their operations and intentions, use the signals (flag, sound and light) provided for in the 1972 Collision Regulations, the International Code of Signals and the Table of Special Signals annexed to this Agreement. At night, or during the day in conditions of restricted visibility, or under such conditions of lighting and at such distances that signal flags are indistinguishable, a flashing light or Very High Frequency Radio Channel 16 (156.8 MHz) should be used.

6. Ships of the Parties shall not:

(a) Simulate attacks by aiming guns, missile launchers, torpedo tubes or other weapons at ships or aircraft of the other Party;

(b) Launch any object in the direction of passing ships of the other Party which might constitute a hazard to those ships or to navigation;

(c) Use searchlights or other illumination devices for the purpose of illuminating the navigation bridges of ships or the cockpits of airborne aircraft of the other Party;

(d) Use lasers in such a manner as to endanger the health of the crew or damage equipment on board a ship or aircraft of the other Party;

(e) Launch signal rockets in the direction of ships and aircraft of the other Party.

7. When one Party is conducting exercises with submerged submarines, surface ships accompanying the submarines shall show the appropriate signal prescribed by the International Code of Signals, or in the Table of Special Signals, annexed to this Agreement, to warn ships of the other Party of the presence of submarines in the area.

8. Ships of one Party, when approaching ships of the other Party which, in accordance with rule 3 (g) of the 1972 Collision Regulations, are restricted in their ability to manoeuvre, and particularly ships engaged in launching or landing aircraft, as well as ships engaged in replenishment while under way, shall take appropriate

measures not to hinder the manoeuvres of such ships and shall remain at a safe distance.

Article IV

1. Commanders of aircraft of the Parties shall exercise the greatest caution when approaching aircraft and ships of the other Party, in particular ships engaged in launching or landing aircraft, and, in the interest of mutual safety, shall not permit:

(a) Simulated attacks or the simulated use of weapons against ships or aircraft of the other Party;

(b) The performance of aerobatics over ships of the other Party;

(c) The dropping of any object in the direction of ships of the other Party which might constitute a hazard to those ships or to navigation.

2. Aircraft of the Parties flying in darkness or under instrument conditions shall, whenever possible, display navigation lights.

Article V

The actions of ships and aircraft prohibited under this Agreement shall also not be taken in respect of non-military ships of the other Party.

Article VI

The Parties shall provide information to mariners, giving notification, normally three to five days in advance, of actions of their ships or aircraft outside territorial waters, which constitute a danger to navigation or to aircraft in flight.

Article VII

The Parties shall, without delay, exchange appropriate information concerning instances of collisions, incidents which result in damage, and other incidents at sea between ships and aircraft of the Parties. The Navy of the Union of Soviet Socialist Republics shall provide such information through the Naval Attaché or other Military Attaché of France in Moscow, and the Navy of France shall provide such information through the Naval Attaché or other Military Attaché of the Union of Soviet Socialist Republics in Paris.

Article VIII

This Agreement shall enter into force on the date of its signature. It may be terminated by either Party giving six months' written notice of termination to the other Party.

Article IX

Representatives of the Parties shall meet within one year after the date of the signing of this Agreement to review the implementation of its terms and possible ways of further improving the safety of navigation of their ships and flight of their aircraft outside territorial waters. Similar consultations shall be held thereafter as required, but at least once every two years.

IN WITNESS WHEREOF the undersigned, duly authorized thereto by their respective Governments, have signed this Agreement.

DONE at Paris on 4 July 1989, in two original copies, each in the Russian and French languages, both texts being equally authentic.

For the Government
of the French Republic:

[R. DUMAS]

For the Government
of the Union of Soviet
Socialist Republics:

[E. A. SHEVARDNADZE]

ANNEX

TABLE OF SPECIAL SIGNALS^(*)*Code group: Yankee Victor One (YV1)*

(The following signals are to be preceded by this code group:)

<i>Signal</i> 1	<i>Meaning of signals</i> 2
IR1	I am engaged in oceanographic work.
IR2 (. . .)	I am streaming/towing hydrographic survey equipment . . . metres astern.
IR3	I am recovering hydrographic survey equipment.
IR4	I am conducting salvage operations.
JH1	I am attempting to retract a grounded vessel.
MH1	Request you not cross my course.
NB1 (. . .)	I have my unattached hydrographic survey equipment bearing in a direction from me as indicated . . . (Table 3 of ICS) ^{(*)1} .
PJ1	I am unable to alter course to my starboard.
PJ2	I am unable to alter course to my port.
PJ3	Caution, I have a steering casualty.
PP8 (. . .)	Dangerous operations in progress. Request you keep clear of the direction indicated from me . . . (Table 3 of ICS).
QF1	Caution, I have stopped the engines.
QS6 (. . .)	I am proceeding to anchorage on course . . .
QV2	I am in a fixed multiple leg moor using two or more anchors or buoys fore and aft. Request you remain clear.
QV3	I am anchored in deep water with hydrographic survey equipment streamed.
RT2	I intend to pass you on your port side.
RT3	I intend to pass you on your starboard side.
RT4	I will overtake you on your port side.
RT5	I will overtake you on your starboard side.
RT6 (. . .)	I am manoeuvring (or the formation is manoeuvring). Request you keep clear of the direction indicated from me . . . (Table 3 of ICS).
RT7 (. . .)	I shall approach your ship on starboard side to a distance of . . . 100s of metres.
RT8 (. . .)	I shall approach your ship on port side to a distance of . . . 100s of metres.
RT9 (. . .)	I shall cross astern at a distance of . . . 100s of metres.
RU2 (. . .)	I am beginning a port turn in approximately . . . minutes.
RU3 (. . .)	I am beginning a starboard turn in approximately . . . minutes.
RU4	The formation is preparing to alter course to port.
RU5	The formation is preparing to alter course to starboard.
RU6	I am engaged in manoeuvring exercises. It is dangerous to be inside the formation.
RU7	I am preparing to submerge.
RU8	A submarine will surface within two miles of me within 30 minutes. Request you remain clear.

^(*)The two Parties shall issue mutually agreed instructions for the use of the signals in this Table. The representatives of the Parties may by mutual agreement introduce into this Table necessary alterations and additions.

¹ "ICS — International Code of Signals". This footnote appears in the authentic French text only.

<i>Signal</i> 1	<i>Meaning of signals</i> 2
SL2	Request your course, speed and passing intention.
TX1	I am engaged in fisheries patrol.
UY1 (. . .)	I am preparing to launch/recover aircraft on course . . .
UY2 (. . .)	I am preparing to conduct missile exercises. Request you keep clear of the direction indicated from me . . . (Table 3 of ICS).
UY3 (. . .)	I am preparing to conduct gunnery exercises. Request you keep clear of the direction indicated from me . . . (Table 3 of ICS).
UY4	I am preparing to conduct/am conducting operations employing explosive charges.
UY5 (. . .)	I am manoeuvring in preparation for torpedo-launching exercises in a direction from me as indicated . . . (Table 3 of ICS).
UY6 (. . .)	I am preparing to conduct/am conducting under-way replenishment on course . . . Request you remain clear.
UY7	I am preparing to conduct extensive small-boat and ship-to-shore amphibious training operations.
UY8	I am manoeuvring to launch/recover landing craft/boats.
UY9	I am preparing to conduct/am conducting helicopter operations over my stern.
UY10	I am checking gunnery systems.(*)
UY11	I am checking rocket systems.(*)
UY12 (. . .)	I am preparing to conduct/I am conducting gunnery exercises/bombing by aircraft of the towed target. Request you keep clear of the direction indicated from me . . . (Table 3 of ICS).
ZL1	I have received and understood your signal.
ZL2	Do you understand? Request acknowledgement.

(* These signals shall be transmitted by ships when they, routinely or for other technical reasons, test their gunnery and rocket rotating mechanisms.