

No. 27323

**UNION OF SOVIET SOCIALIST REPUBLICS
and
CANADA**

**Agreement concerning the prevention of incidents at sea
beyond the territorial sea (with annex). Signed at Mos-
cow on 20 November 1989**

Authentic texts: Russian, English and French.

Registered by the Union of Soviet Socialist Republics on 2 July 1990.

**UNION DES RÉPUBLIQUES
SOCIALISTES SOVIÉTIQUES
et
CANADA**

**Accord sur la prévention des incidents en mer au-delà de la
mer territoriale (avec annexe). Signé à Moscou le 20 no-
vembre 1989**

Textes authentiques : russe, anglais et français.

*Enregistré par l'Union des Républiques socialistes soviétiques le 2 juillet
1990.*

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF
SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF
CANADA CONCERNING THE PREVENTION OF INCIDENTS
AT SEA BEYOND THE TERRITORIAL SEA

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

Desiring to ensure the safety of navigation of the ships of their respective armed forces and of the flight of their military aircraft beyond the territorial sea,

Acknowledging that actions prohibited by this Agreement should also not be taken against non-military ships and aircraft of the Parties,

Guided by the principles and rules of international law,

Have agreed as follows:

ARTICLE I

1. For the purposes of this Agreement:

(a) "ship" means:

(i) 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 that Party and whose name appears in the appropriate service list or its equivalent, and manned by a crew who are under regular armed forces discipline; and

(ii) an auxiliary ship belonging to the armed forces of one of the Parties, which includes all ships authorized to fly the auxiliary ship flag where such a flag has been established by that Party;

(b) "aircraft" means any military manned heavier-than-air or lighter-than-air craft, excluding space craft;

(c) "formation" means a disposition of two or more ships proceeding in company and normally manoeuvring together.

2. This Agreement shall apply to ships and aircraft operating beyond the territorial sea.

¹ Came into force on 20 November 1989 by signature, in accordance with article VIII.

ARTICLE II

The Parties shall take measures to instruct the Commanding Officers of their respective ships to observe strictly the letter and spirit of the 1972 International Regulations for Preventing Collisions at Sea, hereinafter referred to as "the 1972 Collision Regulations". The Parties recognize that their freedom to conduct operations beyond the territorial sea is based on the principles established and recognized under international law.

ARTICLE III

1. In all cases ships of the Parties operating in proximity to each other, except when required to maintain course and speed under the 1972 Collision Regulations, shall 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, while conforming to the 1972 Collision Regulations, avoid manoeuvring in a manner which would hinder the evolutions of the formation.

3. Formations shall not conduct manoeuvres through areas of heavy traffic where internationally recognized traffic separation schemes are in effect.

4. Ships of one Party engaged in surveillance of ships of the other Party shall stay at a distance which avoids the risk of collision and shall also avoid executing manoeuvres embarrassing or endangering the ships under surveillance. Except when required to maintain course and speed under the 1972 Collision Regulations, a surveillant shall take positive early action so as, in the exercise of good seamanship, not to embarrass or endanger ships under surveillance.

5. When ships of the Parties are in sight of one another, such signals (flag, sound and light) as are prescribed by the 1972 Collision Regulations, the International Code of Signals and the Table of Special Signals set forth in the Annex to this Agreement shall be adhered to for signalling operations and intentions. At night, or in daytime in conditions of reduced visibility, or under conditions of lighting and at such distances when signal flags are not distinct, flashing light or Very High Frequency Radio Channel 16 (156.8 MHz) should be used.

6. Ships of the Parties:

- (a) shall not simulate attacks by aiming guns, missile launchers, torpedo tubes or other weapons in the direction of ships and aircraft of the other Party;
- (b) shall not launch in the direction of ships of the other Party any object which could be hazardous to those ships or constitute a hazard to navigation;

- (c) shall not use searchlights or other illumination devices for the purpose of illuminating the navigation bridges of ships and cockpits of flying aircraft of the other Party;
- (d) shall not use a laser in such a manner as to cause harm to personnel or damage to equipment aboard a ship or an aircraft of the other Party;
- (e) shall not launch signal rockets in the direction of ships or aircraft of the other Party.

7. When conducting exercises with submerged submarines, supporting ships shall show the appropriate signals prescribed by the International Code of Signals, or in the Table of Special Signals set forth in the Annex to this Agreement, to warn ships of the presence of submarines in the area.

8. Ships of one Party when approaching ships of the other Party conducting operations 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 underway, shall take appropriate measures not to hinder manoeuvres of such ships and shall remain well clear.

ARTICLE IV

1. Commanders of aircraft of the Parties shall use the greatest caution and prudence in 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 launch in the direction of ships of the other Party any objects which could be hazardous to those ships or constitute a hazard to navigation.

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

ARTICLE V

1. Actions of ships and aircraft prohibited by this Agreement shall also not be taken against non-military ships and aircraft of the Parties.

2. The Parties shall take measures to notify the non-military ships and aircraft of each Party about the provisions of this Agreement directed at securing mutual safety.

ARTICLE VI

The Parties shall provide, through the established system of radio broadcasts of information and warning to mariners and airmen, normally not less than three to five days in advance, notification of actions beyond the territorial sea which represent a danger to navigation or to aircraft in flight.

ARTICLE VII

1. The Parties shall exchange in a timely manner appropriate information concerning instances of collisions, incidents which result in damage, and other incidents at sea between ships and aircraft of the Parties. The Canadian Forces shall provide such information through the Naval or other Military Attaché of the USSR in Ottawa, and the Navy of the USSR shall provide such information through the Canadian Forces Naval attaché or other Canadian Forces Attaché in Moscow.

2. The same procedure as described in paragraph 1 of this Article shall also be used by the Parties to exchange information on other incidents at sea, if immediate receipt of such information may be considered important for the other Party.

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, as well as possible ways of promoting a higher level of safety of navigation of their ships and flight of their aircraft beyond the territorial sea. Similar consultations shall be held thereafter annually, or more frequently as the Parties may decide.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed this Agreement.

[For the testimonium and signatures, see p. 20 of this volume.]

Совершено в Москве 20 ноября 1989 года в двух экземплярах, каждый на русском, английском и французском языках, причем все тексты имеют одинаковую силу.

DONE in Moscow this 20 day of November 1989 in two copies in the Russian, English and French languages, all texts being equally authentic.

FAIT à Moscou le 20 jour de novembre 1989 en deux exemplaires, dans les langues russe, anglaise et française, chacune des trois versions faisant également foi.

За Правительство
Союза Советских Социалистических
Республик:

За Правительство
Канады:

For the Government of the Union of Soviet Socialist Republics: For the Government of Canada:

Pour le Gouvernement de l'Union
des Républiques socialistes
soviétiques:

Pour le Gouvernement du
Canada:

[Signed — Signé]¹

[Signed — Signé]²

¹ Signed by E. A. Shevardnadze — Signé par E. A. Chevardnadze.

² Signed by J. Clark — Signé par J. Clark.

ANNEX

TABLE OF SPECIAL SIGNALS (1)

The following signals are to be preceded by the group
YANKEE VICTOR ONE (YV1):

<u>SIGNAL</u>	<u>MEANING</u>
IR1	I am engaged in oceanographic operations.
IR2(...)	I am streaming/towing hydrographic survey equipment _____ meters 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 ahead of me.
NB1(...)	I have my unattached hydrographic survey equipment bearing in a direction from me as indicated _____. (Table III of ICS).
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.
PP3(...)	Dangerous operations in progress. Request you keep clear of the direction indicated from me _____. (Table III 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.

<u>SIGNAL</u>	<u>MEANING</u>
RT4	I will overtake you on your port side.
RT5	I will overtake you on your starboard side.
RT6(...)	I am/formation is/manoeuvring. Request you keep clear of the direction indicated from me_____. (Table III of ICS).
RT7(...)	I shall approach your ship on starboard side to a distance of ____ 100's of metres (yards).
RT8(...)	I shall approach your ship on port side to a distance of ____ 100's of metres (yards).
RT9(...)	I shall cross astern at a distance of ____ 100's of metres (yards).
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.
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 III of ICS).
UY3(...)	I am preparing to conduct gunnery exercises. Request you keep clear of the direction indicated from me _____. (Table III of ICS).

<u>SIGNAL</u>	<u>MEANING</u>
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 III of ICS).
UY6(...)	I am preparing to conduct/am conducting underway replenishment on course _____. Request you remain clear.
UY7(...)	I am preparing to conduct extensive small boat and ship to shore amphibious training operations. Request you keep clear of the direction indicated from me _____. (Table III of ICS).
UY8(...)	I am manoeuvring to launch/recover landing craft/boats. Request you keep clear of the direction indicated from me _____. (Table III of ICS).
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/with aircraft using a towed target. Request you keep clear of the direction indicated from me _____. (Table III of ICS).
ZL1	I have received and understood your signal.
ZL2	Do you understand? Request acknowledgement.
ZL3	Your signal has been received, but not understood.
* These signals are transmitted by ships when they conduct routine or gun missile system checks.	
(1) NOTE. Both Parties will 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.	