

**No. 31540**

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**CANADA  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement on the prevention of dangerous military activities  
(with annex and table). Signed at Ottawa on 10 May 1991**

*Authentic texts: English, French and Russian.*

*Registered by Canada on 27 January 1995.*

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**CANADA  
et  
UNION DES RÉPUBLIQUES  
SOCIALISTES SOVIÉTIQUES**

**Accord relatif à la prévention des activités militaires dange-  
reuses (avec annexe et tableau). Signé à Ottawa le 10 mai  
1991**

*Textes authentiques : anglais, français et russe.*

*Enregistré par le Canada le 27 janvier 1995.*

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF CANADA AND  
THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST  
REPUBLICS ON THE PREVENTION OF DANGEROUS MILI-  
TARY ACTIVITIES

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

Confirming their desire to improve relations and deepen mutual understanding,

Committed to avoiding dangerous military activities and resolving expeditiously and peacefully any incident arising therefrom,

Desiring to ensure the safety of personnel and equipment of their armed forces when operating in proximity to one another during peacetime, and

Guided by the generally recognized principles and rules of international law,

Have agreed as follows:

ARTICLE I

For the purposes of this Agreement:

a) "Dangerous military activities" means actions of personnel of the armed forces of the Parties in proximity to one another, in peacetime, either unintentional or due to force majeure, that may result in human or materiel damage or loss or that create tensions in the relations between the Parties;

b) "Armed forces" means, for Canada, the Canadian Forces; for the Union of Soviet Socialist Republics, the Armed Forces and the Border Troops of the USSR;

c) "Personnel" means any individual who is serving in or is employed by the armed forces of the Parties;

d) "Equipment" means any ship, aircraft or ground hardware of the armed forces of the Parties;

<sup>1</sup> Came into force on 10 November 1991, i.e., six months after the date of signature, in accordance with article X (1).

- e) "Ship" means any warship or auxiliary ship of the armed forces of the Parties;
- f) "Aircraft" means any military aircraft of the armed forces of the Parties, excluding spacecraft;
- g) "Ground hardware" means any materiel of the armed forces of the Parties designed for use on land;
- h) "Laser" means any source of intense, coherent, highly directional electromagnetic radiation in the visible, infrared or ultraviolet regions that is based on the stimulated radiation of electrons, atoms or molecules;
- i) "Special Caution Area" means a region, designated mutually by the Parties, in which personnel and equipment of their armed forces are present and, due to circumstances in the region, in which special measures are undertaken in accordance with this Agreement;
- j) "Interference with command and control networks" means actions that hamper, interrupt or limit the operation of the signals and information transmission means and systems providing for the control of personnel and equipment of the armed forces of a Party.

## ARTICLE II

1. In the interest of mutual safety, personnel of the armed forces of the Parties shall exercise great caution and prudence while operating near the national territory and the Armed Forces of the other Party.

2. Each Party shall take necessary measures directed toward preventing the following types of dangerous military activities:

- a) entering by personnel and equipment of the armed forces of one Party into the national territory of the other Party owing to circumstances brought about by force majeure or as a result of unintentional actions by such personnel;
- b) using a laser in such a manner that its radiation could cause harm to personnel or damage to equipment of the armed forces of the other Party;
- c) hampering the activities of the personnel and equipment of the armed forces of the other Party in a Special Caution Area in a manner that could cause harm to personnel or damage to equipment; and

d) interfering with command and control networks in a manner that could cause harm to personnel or damage to equipment of the armed forces of the other Party.

3. The Parties shall take measures to ensure expeditious termination and resolution by peaceful means, without resort to the threat or use of force, of any incident that may arise as a result of dangerous military activities.

4. Additional provisions concerning prevention of dangerous military activities and resolution of any incident that may arise as a result of those activities are contained in Articles III, IV, V, and VI of this Agreement.

### ARTICLE III

1. If, owing to circumstances brought about by force majeure or as a result of unintentional actions, personnel and equipment of the armed forces of one Party may be about to enter or have entered the national territory of the other Party, the personnel of the armed forces of either Party who first detect the situation shall:

a) attempt to establish communication and to notify the personnel of the armed forces of the other Party about the circumstances of that situation; and

b) ask for or hand over appropriate instructions.

2. Where personnel or equipment of the armed forces of one Party may be about to enter or have entered the national territory of the other Party, the entering personnel or the personnel in control of the equipment shall, depending on the circumstances, undertake measures to avoid the entry or to depart the territory or shall proceed to a location designated by the personnel of the armed forces of the other Party.

3. Where personnel have proceeded to a designated location they shall be:

a) accorded an opportunity to contact their Defence Attaché or consular authorities as soon as possible,

b) cared for properly and their equipment protected, and

c) assisted in repairing their equipment in order to facilitate their departure from the national territory, and in departing at the earliest opportunity.

#### ARTICLE IV

1. When personnel of the armed forces of one Party, in proximity to personnel and equipment of the armed forces of the other Party, intend to use a laser and that use could cause harm to personnel or damage to equipment of the armed forces of that other Party, the personnel of the armed forces of the Party intending to use a laser shall attempt to notify the relevant personnel of the armed forces of the other Party. In any case, the personnel of the armed forces of the Party intending use of a laser shall follow appropriate safety measures.

2. If personnel of the armed forces of one Party believe that personnel of the armed forces of the other Party are using a laser in a manner that could cause harm to them or damage to their equipment, they shall immediately attempt to establish communications to seek termination of that use. If the personnel of the armed forces of the Party having received notification are actually using a laser in proximity to the area indicated in the notification, they shall investigate the relevant circumstances. If their use of a laser could in fact cause harm to personnel or damage to equipment of the armed forces of the other Party, they shall terminate that use.

3. Notifications with respect to the use of a laser shall be made in the manner provided for in the Annex to this Agreement.

#### ARTICLE V

1. In the interest of greater safety, each Party may propose to the other Party that the Parties agree to designate a region as a Special Caution Area. The other Party may accept or decline the proposal. Either Party also has the right to request that a meeting of their representatives be convened to discuss such a proposal.

2. Personnel of the armed forces of the Parties present in a Special Caution Area shall establish and maintain communications, in accordance with the Annex to this Agreement, and undertake any other measures that may be later agreed upon by the Parties, in order to prevent dangerous military activities and to resolve any incident that may arise as a result of such activities.

3. Each Party has the right to terminate an arrangement with respect to a designated Special Caution Area. The Party intending to exercise this right shall provide timely notification of its intent to the other Party, including the date and time of termination of the arrangement, by means of the communications channel set forth in paragraph 3 of Article VII of this Agreement.

#### ARTICLE VI

1. When personnel of the armed forces of one Party, in proximity to personnel and equipment of the armed forces of the other Party, detect interference with their command and control networks that could cause harm to them or damage to their equipment, they may inform the relevant personnel of the armed forces of the other Party if they believe that the interference is being caused by the personnel and equipment of the armed forces of that Party.

2. If the personnel of the armed forces of the Party having received the information establish that this interference with the command and control networks is being caused by their activities, they shall take expeditious measures to terminate the interference.

#### ARTICLE VII

1. For the purposes of implementing the provisions of this Agreement, the armed forces of the Parties shall establish and maintain communications as provided for in the Annex to this Agreement.

2. The armed forces of the Parties shall exchange appropriate information in a timely manner on instances of dangerous military activities or incidents that may arise as a result of such activities, as well as on other issues related to this Agreement.

3. The Chief of the Defence Staff of the Canadian Forces shall convey information referred to in paragraph 2 of this Article through the Military Attaché of the Union of Soviet Socialist Republics in Ottawa. The Chief of the General Staff of the Armed Forces of the Union of Soviet Socialist Republics shall convey such information through the Defence Attaché of Canada in Moscow.

#### ARTICLE VIII

1. This Agreement shall not affect the rights and obligations of the Parties under other international agreements and arrangements in force between the Parties, nor the rights of individual or collective self-defence and of navigation and overflight, in accordance with international law. The Parties shall implement the provisions of this Agreement, taking into account the sovereign interests of both Parties.

2. Nothing in this Agreement shall be directed against any Third Party. Should an incident encompassed by this Agreement occur in the territory of an ally of a Party, that

Party shall have the right to consult with its ally as to appropriate measures to be taken.

ARTICLE IX

Representatives of the Parties shall endeavour to meet within one year after this Agreement comes into force to review the implementation of its terms, as well as possible ways of promoting a higher level of safety for their armed forces. Similar meetings should be held thereafter every two years or more frequently as the Parties may decide. The venue of such meetings will normally alternate between Canada and the USSR.

ARTICLE X

1. This Agreement, including the Annex thereto, shall enter into force six months after the date of its signature. It may be terminated by either Party giving six months written notice of termination to the other Party.

2. This Agreement shall be registered in accordance with Article 102 of the Charter of the United Nations.

*[For the testimonium and signatures, see p. 264 of this volume.]*

## ANNEX

## PROCEDURES FOR ESTABLISHING AND MAINTAINING COMMUNICATIONS

1. For the purpose of implementing this Agreement, the armed forces of the Parties shall provide for establishing and maintaining, as necessary, communications between the following:

- a) their respective Task Force Commanders present in a Special Caution Area;
- b) their respective Commanders\* of a ship, aircraft, ground vehicle or ground unit; and
- c) the Commanders\* of an aircraft of a Party and an air traffic control or monitoring facility of the other Party.

2. The following frequencies shall be used, as necessary, to establish radio communications:

- a) between aircraft of the Parties or between an aircraft of one Party and an air traffic control or monitoring facility of the other Party: on VHF band frequency 121.5 MHz or 243.0 MHz, or on HF band frequency 4125.0 KHz (alternate 6215.5 KHz); after initial contact is made, the working frequency 130.0 MHz or 278.0 MHz, or 4125.0 KHz;
- b) between ships of the Parties and ship-to-shore: on VHF band frequency 156.8 MHz or on HF band frequency 2182.0 KHz;
- c) between a ship of one Party and an aircraft of the other Party: on VHF band frequency 121.5 MHz or 243.0 MHz; after initial contact is made, the working frequency 130.0 MHz or 278.0 MHz; and
- d) between ground hardware or ground units of the armed forces of the Parties: on VHF band frequency 44.0 MHz (alternate 46.5 MHz), or on HF band frequency 4125.0 KHz (alternate 6215.5 KHz).

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\*"Commander" means the individual with authority to command or lead a ship, aircraft, ground vehicle or ground unit.



3. To establish communication the following call signs shall be used:

Canadian Ship - BEAVER	Ship of the USSR - BUGEL
Canadian Aircraft - HORSE	Aircraft of the USSR - SEDLO
Air traffic control or monitoring facility of Canada - CLOUD	Air traffic control or monitoring facility of the USSR - ZEMLYA
Ground hardware or ground unit of Canada - SWORD	Ground hardware or ground unit of the USSR - POLYE

4. The Parties recognize that the lack of radio communication can increase the danger to the personnel and equipment of their armed forces involved in any incident that may arise as a result of dangerous military activities. Personnel of the armed forces of the Parties involved in such incidents:

- a) who are unable to establish radio communication with personnel of the armed forces of the other Party, or who establish radio communication but cannot be understood, shall try to communicate using those signals referred to in the Table of Additional Signals, contained in this Annex;
- b) who are unable to establish communication with personnel of the armed forces of the other Party shall attempt to establish communication with other parts of their armed forces, who in turn shall take measures to establish contact with personnel of the armed forces of the other Party to resolve the incident.

5. Ship-to-ship and ship-to-shore communications shall be conducted using signals and phrases as set forth in the International Code of Signals of 1965 and the Table of Special Signals developed in accordance with the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of Canada on the Prevention of Incidents at Sea Beyond the Territorial Sea of 1989.<sup>1</sup> Aircraft-to-aircraft communications shall be conducted using signals and phrases for intercepting and intercepted aircraft contained in the Rules of the Air, Annex 2 to the 1944 Convention on International Civil Aviation (Chicago Convention).<sup>2</sup> The additional signals and phrases contained in the Table of Additional Signals in this Annex may also be used.

<sup>1</sup> United Nations, *Treaty Series*, vol. 1568, No. I-27323.

<sup>2</sup> *Ibid.*, p. 295. For the texts of the Protocols amending this Convention, see vol. 320, pp. 209 and 217; vol. 418, p. 161; vol. 514, p. 209; vol. 740, p. 21; vol. 893, p. 117; vol. 958, p. 217; vol. 1008, p. 213, and vol. 1175, p. 297.

6. Whenever aircraft of the armed forces of the Parties come into visual contact with each other, their aircrews shall monitor the frequency 121.5 MHz or 243.0 MHz. If it is necessary for the aircrews to exchange information, but communications in a common language are not possible, attempts shall be made to convey essential information and acknowledgement of instructions by using phrases or visual signals referred to in paragraph 5 of this Annex.

TABLE OF ADDITIONAL SIGNALS

A. MEANING OF SIGNAL/PHRASE	B. VISUAL SIGNALS FOR AIRCRAFT	C. PHRASE	D. PRO-NUNCIATION	E. APPROPRIATE RESPONSE
1. You are in close proximity to our national territory.	Day and Night - The intercepting aircraft, flying abeam and parallel to the intercepted aircraft, rocking wings and flashing navigation lights at slow regular intervals, followed by a series of shallow bank "S" turns, in the horizontal plane, approximately 10 degrees either side of line of flight.	"CLOSE TO TERRITORY"	CLOSE-TO TERR-I-TORY	Intercepted aircraft turns away from national territory.
2. You have entered into our national territory.	Day and Night - The intercepting aircraft, flying abeam and parallel to the intercepted aircraft, rapidly flashing navigation lights while rocking wings, followed by a shallow turn executed in the horizontal plane, with a 15-20 degree bank in the direction of the intercepted aircraft. The approach shall be accomplished with great caution and not closer than one wing span. Repeat until intercepted aircraft acknowledges or radio contact is established.	"TERRITORY ENTERED"	TERR-I-TORY ENTERED	Intercepted aircraft shall follow the appropriate instructions of the intercepting aircraft.

TABLE OF ADDITIONAL SIGNALS

A. MEANING OF SIGNAL/PHRASE	B. VISUAL SIGNALS FOR AIRCRAFT	C. PHRASE	D. PRO-NUNCIATION	E. APPROPRIATE RESPONSE
3. I need to land.	Day and Night - The aircraft flashes its navigation lights repeatedly and rapidly while rocking wings, followed by a gentle porpoising of the aircraft.	"REQUEST LANDING"	RE-QUEST LAN-DING	Intercepting aircraft assists intercepted aircraft.
4. I request radio communications on 130.0 MHz or 278.0 MHz (Initial contact is established on 121.5 MHz or 243.0 MHz.)	Day and Night - If 121.5 MHz and 243.0 MHz are inoperative, aircraft continuously alternates one long with one short flash of navigation lights while rocking wings.	"RADIO CONTACT"	RA-DI-O CON-TAC	Acknowledge requesting aircraft, ship or air traffic control or monitoring facility with phrase "RADIO CONTACT". After contact is made, tune to 130.0 MHz or 278.0 MHz.
5. My aircraft requests radio contact with your ship on 121.5 MHz or 243.0 MHz.	Day and Night - Aircraft circling the ship, in a left-hand turn, at a safe distance and altitude until radio contact is established.	"RADIO CONTACT"	RA-DI-O CON-TAC	The aircraft and ship establish radio contact by exchanging the phrase "RADIO CONTACT"; then both shall switch to 130.0 MHz or 278.0 MHz, as appropriate, for further radio communication.

TABLE OF ADDITIONAL SIGNALS

A. MEANING OF SIGNAL/PHRASE	B. VISUAL SIGNALS FOR AIRCRAFT	C. PHRASE	D. PRO-NUNCIATION	E. APPROPRIATE RESPONSE
6. I am experiencing a dangerous level of interference with my command and control network. (Transmit PHRASE on contact frequency.)	None	"STOP INTERFERENCE"	STOP IN-TER-FER-ENCE	Investigate the circumstances and, as appropriate, terminate any activities which may be causing the dangerous interference.
7. My planned use of a laser may create danger in this area. (Transmit PHRASE on contact frequency.)	None	"LASER DANGER"	LA-SER DAN-GER	Take appropriate measures to prevent harm to personnel or damage to equipment.
8. I am experiencing a dangerous level of laser radiation. (Transmit PHRASE on contact frequency.)	None	"STOP LASER"	STOP LASER	Investigate the circumstances and, as appropriate, terminate any use of a laser that could cause harm to personnel or damage to equipment.

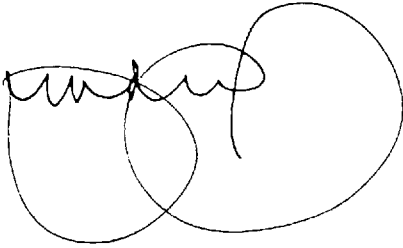
DONE in Ottawa this 10th day of May, 1991, in two copies in the English, French and Russian languages, all texts being equally authentic.

FAIT à Ottawa le 10<sup>e</sup> jour de mai 1991. Le présent accord a été établi en deux exemplaires, en anglais, en français et en russe. Tous les textes font foi également.

For the Government  
of Canada:

Pour le Gouvernement  
du Canada :

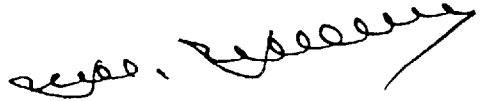
A. J. G. D. DE CHASTELAIN

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke at the bottom.

For the Government  
of the Union of Soviet  
Socialist Republics:

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

MOISEYEV MIKHAIL ALEKSEYEVICH

A handwritten signature in black ink, featuring a series of connected, slightly wavy horizontal strokes.