

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