

No. 31353

**REPUBLIC OF KOREA
and
RUSSIAN FEDERATION**

**Agreement concerning the prevention of incidents at sea
beyond the territorial sea (with annex). Signed at Mos-
cow on 2 June 1994**

Authentic texts: Korean, Russian and English.

Registered by the Republic of Korea on 3 November 1994.

**RÉPUBLIQUE DE CORÉE
et
FÉDÉRATION DE RUSSIE**

**Accord concernant la prévention des incidents en mer
au-delà des eaux territoriales (avec annexe). Signé à
Moscou le 2 juin 1994**

Textes authentiques : coréen, russe et anglais.

Enregistré par la République de Corée le 3 novembre 1994.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC
OF KOREA AND THE GOVERNMENT OF THE RUSSIAN FED-
ERATION CONCERNING THE PREVENTION OF INCIDENTS
AT SEA BEYOND THE TERRITORIAL SEA

The Government of the Republic of Korea and the Government of the Russian Federation hereinafter referred to as the Parties,

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

Guided by the generally recognized principles and rules of international law, including the United Nations Convention on the Law of the Sea signed in Montego Bay on December 10, 1982,²

Have agreed as follows:

Article 1

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 such a ship of its nationality, under the command of an officer duly commissioned by the government of respective Party and whose name appears in the appropriate service list or its equivalent, and manned by a crew who are under regular military discipline;
- ii) an auxiliary ship belonging to the armed forces of one of the Parties, which is authorized to fly the auxiliary ship flag where such a flag has been established by respective Party;

¹ Came into force on 2 July 1994, i.e., 30 days after the date of signature, in accordance with article 8.

² United Nations, *Treaty Series*, vol. 1833, No. I-31363.

- b) 'Aircraft' means any heavier-than-air or lighter-than-air manned craft belonging to the armed forces of one of the Parties, excluding space craft;
- c) 'Formation' means a disposition of two or more ships proceeding orderly in company and manoeuvring together;
- d) 'Personnel' means any individual, military or civilian, who is serving in or is employed by the armed forces of the Parties;
- e) 'Laser' means any sources 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.

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

Article 2

The Parties shall take measures to ensure strict observance by the commanding officers of their respective ships of the letter and spirit of the 1972 International Regulations for Preventing Collisions at Sea (hereinafter referred to as 'the 1972 Collision Regulations'), annexed to the Convention on International Regulations for Preventing Collisions at Sea, signed in London on October 20, 1972.¹ The Parties recognize that their freedom of navigation beyond the territorial sea is based on the principles established under international law and codified in the 1982 UN Convention on the Law of the Sea.

¹ United Nations, *Treaty Series*, vol. 1050, p. 16.

Article 3

1. Ships of one of the Parties operating in the vicinity of ships of the other Party, 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 of the Parties shall not conduct manoeuvres in areas of heavy traffic where universally recognized international 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 allows to avoid 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 signaling operations and intentions. At night, or in conditions of reduced visibility or 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 throw out in the vicinity of ships of the other party any objects in such a manner that could be hazardous to these ships or constitute a hazard to navigation;
- c) shall not use searchlights or other similar illuminating devices for the purpose of illuminating the navigation bridges of ships and cockpits of flying aircraft of the other Party;
- d) shall not use lasers 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 in such a manner that could be hazardous to these ships or aircraft.

7. When conducting exercises with submerged submarines, supporting ships shall show the appropriate signals prescribed by the International Code of Signals, or by the Table of Special Signals, set forth in the Annex 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 recovering aircraft as well as ships engaged in replenishment or transfer of personnel from ship to ship while underway, shall take appropriate measures not to hinder manoeuvres of such ships and shall remain well clear.

Article 4

1. Commanders of aircraft of one Party shall use the greatest caution in approaching aircraft or ships of the other Party, in particular ships engaged in launching or recovering aircraft, and, in the interest of mutual safety, shall not permit:

- a) simulated attacks or the simulated use of weapons against ships and aircraft of the other Party;
- b) dropping in the direction of ships of the other Party any objects in such a manner that could be hazardous to these ships or constitute a hazard to navigation;
- c) the performance of aerobatics over ships of the other Party.

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

3. The Parties shall take necessary measures so that flights of unmanned aircraft belonging to the armed forces of either Party should not constitute danger to navigation of ships and flight of the aircraft of the other Party.

4. Any aircraft of one of the Parties approaching aircraft, ships or the airspace of the other Party shall continue to monitor the frequency 121.5 MHZ or 243 MHZ and, when required, conduct communications in the indicated frequencies.

Article 5

1. Dangerous 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 non-military ships and aircraft of each Party of the provisions of this Agreement directed at securing mutual safety.

Article 6

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

2. The Parties shall take necessary measures to ensure that commanders of ships and aircraft shall use the greatest caution and prudence in areas notified in accordance with paragraph 1 of this Article.

Article 7

The Parties shall exchange in a timely manner appropriate information concerning incidents which result in damage and other incidents at sea between ships and aircraft of the Parties. The Navy of the Republic of Korea shall provide such information through the naval or other military attache of the Embassy of the Russian Federation to the Republic of Korea and the Navy of the Russian Federation shall provide such information through the naval or other military attache of the Embassy of the Republic of Korea to the Russian Federation.

Article 8

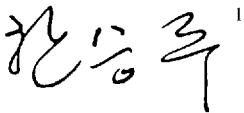
This Agreement shall enter into force in thirty days after the date of its signature. It may be terminated by either Party six months after submission of a written notice of termination to the other Party.

Article 9


Representatives of the Parties shall meet within one year after the date of the signing of this Agreement to review the implementation of its provisions, as well as possible ways of promoting a higher level of safety of navigation of their ships or flight of their aircraft beyond the territorial sea. Similar consultations shall be held thereafter every three years, or more frequently as the Parties may decide.

Done in Moscow, on *the 2nd* day of June, 1994,
in duplicate, each in Korean, Russian and English, all texts being
equally authentic. In case of dispute on the interpretation of the text,
the English text shall prevail.

For the Government
of the Republic of Korea:

A handwritten signature in Korean characters, consisting of three main strokes, with a small superscript '1' to its right.

For the Government
of the Russian Federation:

A handwritten signature in Cyrillic script, appearing to read 'A. Kozyrev', with a small superscript '2' to its right.

¹ Han Sung-joo.

² A. Kozyrev.

(Annex)

TABLE OF SPECIAL SIGNALS 1/
 Identification Signal: YV1
 (The following group is to be preceded by this signal)

Signal	Meaning of signal
1	2
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.
PP8 (...)	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.

1/ Both Parties will issue appropriate 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.

- 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/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 meters.
- RT8 I shall approach your ship on port side to a distance of _____
(...) 100's meters.
- RT9 I shall cross astern at a distance of _____ 100's meters.
(...)
- 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).
(...)
- UY4 I am preparing to conduct (I 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 (I 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 (I 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 checks of gun or missile systems according to relevant technical requirements.
