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**Chairmanship: Russian Federation****854th PLENARY MEETING OF THE FORUM**

1. Date: Wednesday, 24 May 2017

Opened: 10.05 a.m.

Closed: 1.10 p.m.

2. Chairperson: Mr. A. Vorobiev

Prior to taking up the agenda, the Chairperson, on behalf of the FSC, offered condolences to the United Kingdom in connection with the terrorist attack in Manchester on 22 May 2017; Mr. S. Khabibullin likewise extended his condolences. The United Kingdom thanked the delegations and Mr. Khabibullin for their expressions of sympathy.

3. Subjects discussed – Statements – Decisions/documents adopted:

Agenda item 1: SECURITY DIALOGUE: “PREVENTION OF MILITARY INCIDENTS”

– *Mr. S. Khabibullin, Main Directorate for International Military Co-operation, Ministry of Defence, Russian Federation*

Chairperson, Mr. S. Khabibullin (Russian Federation) (Annex 1), Malta-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Georgia and Moldova, in alignment) (FSC.DEL/151/17), Poland (Annex 2), Switzerland (Annex 3), United States of America, Canada, Belarus, Germany, Austria, Norway

Agenda item 2: GENERAL STATEMENTS

*Situation in and around Ukraine:* Ukraine (FSC.DEL/153/17), Malta-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia

and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Georgia, Moldova, San Marino and Ukraine, in alignment) (FSC.DEL/152/17), Canada, United States of America, Russian Federation

Agenda item 3: ANY OTHER BUSINESS

- (a) *Briefing on the 75th meeting of the OSCE Communications Group and the 2017 Global Exchange of Military Information, held on 11 May 2017 (FSC.GAL/57/17 Restr.):* Representative of the Conflict Prevention Centre
- (b) *Finalizing of an online portal for submission of information in accordance with the OSCE Document on Small Arms and Light Weapons (SALW) and the United Nations Programme of Action on SALW, to become operational on 30 May 2017:* Representative of the Conflict Prevention Centre

4. Next meeting:

Wednesday, 31 May 2017, at 10 a.m., in the Neuer Saal



**Organization for Security and Co-operation in Europe  
Forum for Security Co-operation**

FSC.JOUR/860  
24 May 2017  
Annex 1

ENGLISH  
Original: RUSSIAN

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**854th Plenary Meeting**  
FSC Journal No. 860, Agenda item 1

## **STATEMENT BY THE DELEGATION OF THE RUSSIAN FEDERATION**

Mr. Chairperson,  
Ladies and gentlemen,

Thank you for this opportunity to address the OSCE Forum for Security Co-operation on such a relevant issue as the prevention of incidents at sea and in the air.

### **Historical background and reasons behind the need to conclude agreements**

A series of incidents in the world's oceans during the 1960s attributable to the actions of Soviet and United States warships and aircraft, and the serious consequences of those incidents, led to an understanding in Moscow and Washington of the need to begin talks on preventing such risks in the future.

The intensive work carried out by the two countries' military departments resulted in the signing in 1972 of the Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the United States of America on the Prevention of Incidents On and Over the High Seas (hereinafter INCSEA).

The successful experience of the Agreement's application was summarized, and in subsequent years such agreements were signed with a number of other countries.

### **Existing treaty framework**

In total, 14 Agreements were concluded by the Government of the Soviet Union or the Russian Federation with the following leading maritime powers:

- Agreement between the USSR and the United States of America (1972);
- Agreement between the USSR and the United Kingdom (1986);
- Agreement between the USSR and the Federal Republic of Germany (1988);
- Agreement between the USSR and France (1989);

- Agreement between the USSR and Canada (1989);
- Agreement between the USSR and Italy (1989);
- Agreement between the USSR and the Netherlands (1990);
- Agreement between the USSR and Norway (1990);
- Agreement between the USSR and Spain (1990);
- Agreement between the USSR and Greece (1991);
- Agreement between Russia and Japan (1993);
- Agreement between Russia and South Korea (1994);
- Agreement between Russia and Portugal (2000);
- Agreement between Russia and Turkey (2004).

Twelve of these countries are OSCE participating States (and members of NATO) and two countries are OSCE Partners for Co-operation.

### **Content of INCSEA**

The purpose of these Agreements is to ensure the safety of navigation of the ships and flight of the aircraft of the armed forces of the Parties to the Agreements outside territorial waters.

The Agreements, in addition to the existing norms of international law, contain mutual obligations aimed at reducing the risks of adverse situations arising from the actions of the Parties' ships and aircraft operating in close proximity to one another. Ultimately, INCSEA agreements are designed to eliminate the chance factor in relations between the Parties' armed forces and States in general.

The commanders of the Parties' ships and aircraft are directly involved in fulfilling the mutual obligations under the Agreement and are responsible for their implementation. They are instructed, when using the freedoms of the high seas, to follow the letter and spirit of the International Regulations for Preventing Collisions at Sea 1972 (COLREGS) and avoid such manoeuvring that would be dangerous for the other Party's ships, aircraft and their formations.

Special signals provided for in the Agreements have been developed and are used successfully to facilitate mutual understanding and ensure the mutual exchange of information on one another's intentions. They are contained in the Tables of Special Signals, which are an integral part of the Agreements. Special signals can be transmitted by radio, flags and searchlights.

Within the framework of the Agreements, communication between the Parties through military (naval) attachés has been established and operates effectively. As a result, the Parties have an opportunity to inform one another promptly about incidents at sea and to take measures to eliminate possible negative consequences.

I should especially like to emphasize that the Agreements do not touch upon the main content and focus of the activities of the Parties' armed forces, do not restrict their quantitative and qualitative composition, but allow the issue of ensuring the safety of navigation and flights beyond territorial seas to be addressed. In this regard, there are no grounds for interpreting the INCSEA agreements broadly, for regarding them as or equating them with arms control documents.

In the process of implementing the Agreements, the range of objects and relations constituting the subject of the Agreements has been expanded. In particular, the Parties undertake:

- Not to use lasers in such a way that they could be harmful to the health of personnel or cause damage to equipment on board the other Party's ship or aircraft;
- Not to launch signal rockets or other pyrotechnical devices in the direction of the other Party's ships or aircraft;
- Not to intentionally interfere with the communication and navigation systems of the other Party's ships or aircraft.

In addition, the prohibitions contained in the Agreements have been extended to actions taken against non-military seagoing vessels and aircraft.

Work is currently under way to extend the application of the Agreements' provisions to unmanned aerial vehicles and ships.

### **Mechanism for INCSEA implementation in the Armed Forces of the Russian Federation**

As part of the monitoring of the implementation of the Agreements' provisions by ships and aircraft of the armed forces of the Parties, the following measures are carried out by the Russian Ministry of Defence:

- Daily monitoring of compliance with the provisions of the Agreements by ships and aircraft of the Parties' armed forces;
- Analysis of the implementation of the provisions of the Agreements, preparation of proposals for enhancing measures to ensure the safety of maritime navigation and flights, and for introducing amendments to the Agreements;
- Correspondence with representatives of the Parties' armed forces on the implementation of the Agreements;

- Preparations and consultations with delegations of foreign States with regard to the implementation and modernization of the Agreements. In accordance with the provisions of the Agreements, consultations are held annually or once every two years.

### **Experience of INCSEA implementation**

The experience of applying the Agreements shows that each of them is equally useful for both Parties. They contribute to ensuring the safety of the Parties' ships and aircraft when operating in close proximity to one another.

Meetings held as part of the implementation of the Agreements make it possible to increase trust, better understand each other's intentions, and develop and discuss measures for improving the Agreements.

### **Problematic issues**

For politically motivated reasons, some States Parties to the Agreements suspended contacts with Russia, in particular, Canada in 2008 and the Federal Republic of Germany in 2014.

At the same time, accusations against Russia regarding dangerous manoeuvres carried out by military aircraft and warships of the Armed Forces of the Russian Federation are frequently heard in the media.

However, the initiatives proposed by the Russian Ministry of Defence for discussion within the framework of the Russia-NATO Council regarding the development of a regulatory and legal framework for incident prevention so far remain without any response.

This is not helping to reduce tension and can potentially lead to unforeseen incidents.

We call on the defence departments of the States Parties to the Agreements to resume dialogue on the prevention of incidents at sea outside territorial waters and in the airspace above it, and are ready for constructive co-operation.

Thank you, Mr. Chairperson.



**Organization for Security and Co-operation in Europe  
Forum for Security Co-operation**

FSC.JOUR/860  
24 May 2017  
Annex 2

Original: ENGLISH

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**854th Plenary Meeting**  
FSC Journal No. 860, Agenda item 1

## **STATEMENT BY THE DELEGATION OF POLAND**

Mr. Chairperson,

In addition to the statement delivered by the European Union, I would like to say a few words in my national capacity.

Poland is grateful to the Russian FSC Chairmanship for bringing the topic of military incidents to the FSC Security Dialogue and thanks Colonel Khabibullin for his presentation.

The statement of the European Union and its Member States has drawn the particular attention of all delegations to the Polish proposal presented to the FSC on paragraph 17 of the Vienna Document on co-operation as regards hazardous incidents of a military nature. It should be noted that a growing number of participating States have already co-sponsored this proposal – on 10 May the number of co-sponsors reached 22. As main sponsor, we find this a source of particular satisfaction and encourage other delegations to consider co-sponsoring our proposal.

There is no doubt that all the existing mechanisms and channels of communication between participating States, regardless of their nature, whether bilateral, regional or multilateral, should operate efficiently in order to minimize risks triggered by dangerous military incidents.

This is why the group of co-sponsors of the proposal on paragraph 17 are so greatly in favour of strengthening the existing paragraph 17 of the Vienna Document, in order to provide all 57 OSCE participating States with an effective multilateral tool enabling them immediately manage any possible military incident in accordance with relevant provisions of paragraph 17 of the Vienna Document.

I thank you, Mr. Chairperson, and kindly request you to attach this statement to the journal of the day.



**Organization for Security and Co-operation in Europe  
Forum for Security Co-operation**

FSC.JOUR/860  
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Annex 3

Original: ENGLISH

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**854th Plenary Meeting**

FSC Journal No. 860, Agenda item 1

**STATEMENT BY THE DELEGATION OF SWITZERLAND**

Dear Colonel Khabibullin,  
Dear Chairperson of the FSC,  
Excellencies and distinguished guests and colleagues,

The Swiss delegation joins those who have warmly welcomed Colonel Khabibullin to today's meeting of the Forum for Security Co-operation and thanks him for his very informative presentation. We congratulate the Russian FSC Chairmanship on having chosen the topic of prevention of military incidents for discussion on the FSC agenda. In the current situation of lack of mutual trust and confidence, hazardous military incidents pose a rising threat to security in the OSCE area. In fact, risks stemming from miscalculations or misinterpretations that lead to accidents or even unintended escalation are a matter of major concern. It is therefore in the interest of all participating States – whatever their assessment of the reasons for the current crisis of trust and confidence – to utilize and further develop existing measures and to set up new tools to prevent military incidents.

The OSCE has developed a multilateral mechanism to address the said risks. Its correct implementation in good faith would contribute greatly to dispelling concerns and avoiding risks.

Mr. Chairperson,

Today I recall the interesting discussions on the topic of risk reduction at the Breakout Workshop on OSCE Confidence- and Security-Building Measures held from 1 to 3 March of this year. The workshop's findings on the subject of risk reduction mention the following two matters specifically: the strict implementation of confidence- and security-building measures in good faith and in compliance with the letter and the spirit of their provisions, and their links to various other verification tools. Furthermore, as an additional risk reduction measure, positive consideration was given to the role of impartial fact finding missions under a neutral head. Particularly interesting was the discussion comparing the effectiveness of bilateral agreements in addressing incidents with that of a subregional or even regional approach.

To conclude, I thank the Russian FSC Chair once again for bringing this pertinent topic to the platform of the OSCE. An open and constructive debate leading to effective solutions must continue, as it is in all our interests.

Thank you very much for your attention. I would kindly request that this statement be attached to the journal of the day.