

No. 10839

**BULGARIA
and
TUNISIA**

**Agreement on maritime navigation. Signed at Tunis on
29 April 1969**

Authentic text: French.

Registered by Bulgaria on 25 November 1970.

**BULGARIE
et
TUNISIE**

**Accord sur la navigation maritime. Signé à Tunis le 29 avril
1969**

Texte authentique : français.

Enregistré par la Bulgarie le 25 novembre 1970.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON MARITIME NAVIGATION BETWEEN
THE PEOPLE'S REPUBLIC OF BULGARIA AND THE
REPUBLIC OF TUNISIA

Article 1

The Government of the People's Republic of Bulgaria and the Government of the Republic of Tunisia have agreed, in a spirit of friendship, to foster the development of shipping between their two States and to eliminate any difficulties which might arise in that regard.

Article 2

The two Governments shall co-operate in ensuring that their shipping businesses provide appropriate means for maximum participation in the shipping of exports or imports to their respective countries.

Article 3

The two Governments declare that their policy with regard to maritime navigation between the States is based on the following principles:

(1) Each Contracting Party shall, subject to its international commitments, refrain from adopting discriminatory measures which might be prejudicial to the maritime navigation of the other Contracting Party.

(2) Each Contracting Party shall guarantee to vessels flying the flag of the other Party the same treatment in its ports as that accorded to vessels of the most favoured nation.

This provision shall apply to customs formalities, the levying of port dues and charges, free access to and utilization of ports and all facilities provided for navigation and commercial activities relating to vessels, their crews, their passengers and their freight. This includes, in particular, allocation of berths, loading and discharging facilities and harbour services.

¹ Came into force on 29 April 1969 by signature, in accordance with article 14.

(3) Payment of all expenses for shipping between the two Contracting Parties shall be effected in accordance with the provisions of the Payments Agreement in force between the two countries.

Article 4

Most-favoured-nation treatment shall be granted in the ports of each Contracting Party to vessels of the other Contracting Party which arrive and depart in ballast and to vessels which arrive with cargo but depart without having effected any commercial operation, either intentionally or because they were stormbound. In the case of a stormbound vessel, unloading and reloading of the vessel, trans-shipment to another vessel, if the first vessel is unseaworthy, necessary expenditure for crew's supplies and the sale of damaged goods authorized by the customs authority shall not be considered as commercial operations.

Article 5

Vessels of each Contracting Party entering the ports of the other Party to land part of a cargo brought from abroad may, subject to the laws and regulations of the State, keep on board that part of their cargo which is intended for another port either in the same State or in another State, and ship it without payment of further dues apart from those levied in similar cases on vessels of the most favoured nation. Similarly, vessels of each Contracting Party may go from one port of the same Party to another to complete a cargo for a foreign destination without payment of further dues apart from those levied in similar cases on vessels of the most favoured nation.

Article 6

Any vessel of either Contracting Party which is forced by a storm or any other event to take refuge in a port of the other Party shall be authorized to have repairs effected, to obtain any supplies it may need and to continue its voyage, without payment of further dues apart from those levied in similar cases on vessels of the most favoured nation.

If, however, the master of the vessel is forced to dispose of part of the cargo in order to cover expenses, he shall be bound by the regulations and the tariff of the place where he berthed.

If a vessel of one of the Contracting Parties is wrecked, runs aground or is damaged in any way off the coast of the other Party, the latter shall provide the same protection and assistance as it would for vessels of the most favoured nation.

Salvage operations shall be subject to the laws of the salvaging country.

Article 7

The nationality of vessels shall be determined on the basis of the certificates of nationality and other documents carried on board and issued or recognized by the competent authorities in accordance with the laws of the State in whose territory the vessel is registered.

Vessels of each Contracting Party carrying classification certificates or other equivalent documents shall be exempt from reclassification in the ports of the other Party, unless the consul of the country under whose flag the vessel of one of the Parties is sailing makes a written request for reclassification.

Vessels of each Contracting Party which have been measured according to accepted international standards shall not be subject to payment of dues of any nature or to measurement in the ports of the other Party.

Except in cases of sale by order of court, vessels of one of the Contracting Parties may not be registered under the flag of the other Party unless a statement indicating withdrawal of the flag has been issued by the authority of the State in which they are registered.

Article 8

Most-favoured-nation treatment shall not apply:

- (a) To national coastal traffic;
- (b) To maritime servicing of ports, roadsteads and beaches, including pilotage, towage, salvage and maritime assistance;
- (c) To fishing, which shall continue to be governed by the laws in force in the territory of each Contracting Party;
- (d) To the privileges granted for aquatic sports.

Article 9

The most-favoured-nation treatment provided for in this Agreement shall not apply to the advantages and privileges resulting from:

- (a) Any special Customs Union already formed or to be formed in the future by one of the Contracting Parties;
- (b) Any special system established by convention which one of the Contracting Parties has already applied or will apply in the future.

Article 10

Masters of merchant vessels sailing under the Bulgarian flag and masters of merchant vessels sailing under the Tunisian flag who no longer have a full crew, as a result of illness or other causes, may engage in the territory of the other Contracting Party, in accordance with its laws and by-laws, any seamen they need to continue their voyage, on the understanding that the engagement is made with the free consent of the seaman and in accordance with the law of the State under whose flag the vessel is sailing.

Article 11

The two Contracting Parties shall recognize, on a reciprocal basis, the seamen's identity papers issued by the competent authorities of the State under whose flag the vessel is sailing.

The identity papers referred to in the preceding paragraph shall give their bearers aboard the vessel of one of the Contracting Parties the right to cross the frontier of the other Party upon arrival and departure, provided that the persons concerned are included in the crew list.

Crew members who fulfil the conditions specified in the preceding paragraph shall have the right to disembark in the ports of both Contracting Parties either when the vessel calls at a port or for reasons of health.

Article 12

The local authorities and courts of each Contracting Party shall not, in any way or for any reason whatsoever, consider any disputes which arise during the voyage or in port between the shipowner, the master, the officers and the crew members included in the vessel's crew list and which concern

the crew's personal effects, salaries and, in general, the work on board vessels sailing under the flag of the other Contracting Party.

These provisions shall not be applicable when the intervention of the local authorities and courts of either Contracting Party is requested by the consul of the country under whose flag the vessel is sailing or the master of the vessel or because of an event which may disturb law and order.

Article 13

The provisions of this Agreement shall not apply to warships of the Contracting Parties.

Article 14

This Agreement shall enter into force on the date of its signature and shall be valid for a period of three years. It shall subsequently be renewed from year to year by tacit agreement unless it is denounced by one of the two Contracting Parties in writing three months before the expiry date for the current year.

DONE at Tunis on 29 April 1969 in duplicate in the French language.

For the Government
of the People's Republic
of Bulgaria:

[LATCHEZAR AVRAMOV]

For the Government
of the Republic of Tunisia:

[AHMED BEN SALAH]