

No. 12302

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**UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
and  
UNION OF SOVIET SOCIALIST  
REPUBLICS**

**Treaty on Merchant Navigation. Signed at London on 3  
April 1968**

*Authentic texts: English and Russian.*

*Registered by the United Kingdom of Great Britain and Northern Ireland  
on 22 February 1973.*

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**ROYAUME-UNI DE GRANDE-BRETAGNE  
ET D'IRLANDE DU NORD  
et  
UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES**

**Traité relatif à la marine marchande. Signé à Londres le 3  
avril 1968**

*Textes authentiques : anglais et russe.*

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord  
le 22 février 1973.*

TREATY<sup>1</sup> ON MERCHANT NAVIGATION BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, and the Praesidium of the Supreme Soviet of the Union of Soviet Socialist Republics;

Desiring to develop merchant navigation between the United Kingdom and the Soviet Union and to contribute to the development of international navigation on the basis of the principles of the freedom of merchant shipping;

Have decided to conclude the present Treaty and for this purpose have appointed as their Plenipotentiaries:

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth, (hereinafter referred to as "Her Britannic Majesty"):

For the United Kingdom of Great Britain and Northern Ireland:

Goronwy Owen Roberts, Esquire, M.P., one of Her Majesty's Ministers of State for Foreign Affairs;

Joseph Percival William Mallalieu, Esquire, M.P., one of her Majesty's Ministers of State in the Board of Trade;

The Praesidium of the Supreme Soviet of the Union of Soviet Socialist Republics:

Monsieur Victor Georgievich Bakaev, Minister of the Merchant Marine of the Union of Soviet Socialist Republics;

who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows:

*Article 1.* For the purposes of this Treaty:

(a) The term "vessel of a High Contracting Party" shall mean any vessel registered at a port of that Party; the term shall not, however, include any ship of war;

(b) The term "national" shall mean, in relation to a High Contracting Party, any person whom that Party recognises as its national; and

(c) The term "member of the crew" shall mean any person actually employed for duties on board during a voyage in the working or service of a vessel and included in the crew list.

*Article 2.* The territories of the High Contracting Parties to which the present Treaty applies are:

(a) on the part of the Praesidium of the Supreme Soviet of the Union of Soviet Socialist Republics, the Union of Soviet Socialist Republics; and

<sup>1</sup> Came into force on 27 April 1972 by the exchange of the instruments of ratification, which took place at Moscow, in accordance with article 17.

(b) on the part of Her Britannic Majesty, the United Kingdom of Great Britain and Northern Ireland.

*Article 3.* The High Contracting Parties shall grant all possible assistance to the freedom of merchant navigation and shall refrain from any actions which might cause harm to the normal development of international navigation.

*Article 4.* The High Contracting Parties shall, within the limits of their respective legislation, continue their efforts to maintain and to develop effective working relationships between the authorities responsible for maritime transport in their countries. In particular, the High Contracting Parties agree to foster mutual consultation and the exchange of information between the Government Departments responsible for maritime affairs in their countries and to encourage the development of contacts between their respective shipping industries.

*Article 5.* (1) The High Contracting Parties agree to follow in international shipping principles of free and fair competition. In particular, each High Contracting Party shall abstain from taking measures which may limit the opportunities of vessels of the other High Contracting Party to compete in relation to trade between its own ports and ports of the other High Contracting Party on equal commercial conditions; and shall in general apply the above principles also to trade between its ports and the ports of third countries.

(2) The provisions of this article shall not affect the right of the vessels of third countries to participate in trade between the ports of the High Contracting Parties.

*Article 6.* (1) Each High Contracting Party shall afford to vessels of the other High Contracting Party the same treatment as it affords to its own vessels engaged on international voyages in respect of free access to ports, use of ports for loading and unloading of cargoes and for embarking and disembarking passengers, and normal commercial operations connected with the above; and also in respect of the payment of port dues and port taxes.

(2) The provisions of paragraph (1) of this article:

- (a) shall not apply to ports not open to the entry of foreign vessels;
- (b) shall not oblige a High Contracting Party to extend to vessels of the other High Contracting Party exemptions from compulsory pilotage requirements granted to its own vessels; and
- (c) shall not apply to other services and requirements not covered by that paragraph.

*Article 7.* The High Contracting Parties shall adopt, within the limits of their law and port regulations, all appropriate measures to facilitate and expedite maritime traffic, to prevent unnecessary delays to vessels and to expedite and simplify as much as possible the carrying out of Customs and other formalities applicable in ports.

*Article 8.* Each of the high Contracting Parties shall recognise the nationality of vessels of the other High Contracting Party on the basis of the documents on board those vessels issued by the competent authorities of the other High Contracting Party in accordance with its laws and regulations.

*Article 9.* (1) The tonnage of British vessels holding certificates of tonnage, certificates of registry or other national documents denoting tonnage duly issued

by the competent authorities shall be recognised by the authorities of the Union of Soviet Socialist Republics on the basis of the said certificates or documents, without re-measurement.

(2) The tonnage of vessels of the Union of Soviet Socialist Republics holding certificates of tonnage, certificates of registry or other documents denoting tonnage duly issued by the competent authorities shall be recognised by the authorities of the United Kingdom on the basis of the said certificates or documents, without re-measurement.

*Article 10.* A shipping enterprise or company which has its central management and control in the territory of one of the High Contracting Parties and does not carry on its business through a branch or agency in the territory of the other High Contracting Party shall not be charged or pay in the territory of the second High Contracting Party taxes directly connected with its activity in carrying out the sea transport and delivery to the quayside of cargoes and passengers; provided that a shipping enterprise or company shall not be deemed for the purpose of this article to carry on its business through a branch or agency in the territory of the other High Contracting Party merely because it carries on business in that territory through a broker or general agent acting in the ordinary course of his business.

*Article 11.* (1) If a vessel of one of the High Contracting Parties suffers shipwreck, runs aground, is cast ashore or suffers any other accident off the coast of the other High Contracting Party, the vessel and the cargo shall enjoy, in the territory of the latter Party, the same benefits and privileges and accept the same liabilities as are accorded to a vessel of that Party and its cargo. The master, the crew and passengers as well as the vessel itself and its cargo, shall be granted, at any time, help and assistance to the same extent as in the case of a vessel of the latter Party. Nothing in this article shall prejudice any claim for salvage in respect of any help or assistance given to a vessel, its passengers, crew and cargo.

(2) The vessel which has suffered an accident, its cargo, equipment and fittings, stores or other articles from the vessel, provided that they are not delivered for use or consumption in the territory of the other High Contracting Party, shall not be liable to Customs duties or other taxes of any kind imposed upon or by reason of importation.

(3) Nothing in the provisions of paragraph (2) of this article shall be construed so as to preclude the application of the laws and regulations of the High Contracting Parties with regard to the temporary storage of goods.

*Article 12.* Each of the High Contracting Parties shall recognise the seamen's identity documents issued by the competent authority of the other High Contracting Party. These identity documents are:

- (a) in the case of the Union of Soviet Socialist Republics, a U.S.S.R. Seamen's Passport;
- (b) in the case of the United Kingdom, a British Seaman's Card.

*Article 13.* A seaman holding the appropriate seaman's identity document specified in article 12, shall, subject to the provisions of paragraphs (1) and (3) of article 14:

- (a) be admitted without visa into the United Kingdom or the Union of Soviet Socialist Republics as the case may be, for temporary shore leave when the

vessel on which he is engaged as a member of the crew is in a United Kingdom or Soviet port;

- (b) be permitted without visa to leave the United Kingdom or the Union of Soviet Socialist Republics respectively, upon the termination of his engagement on a vessel as a member of the crew where this takes place in a United Kingdom or Soviet port;
- (c) be admitted into the United Kingdom or the Union of Soviet Socialist Republics respectively, for the purpose of joining a vessel as a member of the crew provided that he is in possession of a visa and a written declaration from the shipping company or its agents that he is to join a specified vessel at a specified port.

*Article 14.* (1) The High Contracting Parties reserve the right to deny entry to their respective territories to any holder of a recognised seaman's identity document whom they consider undesirable.

(2) Each High Contracting Party binds itself to re-admit to its territory any holder of a valid British Seaman's Card on the one hand and any holder of a valid U.S.S.R. Seamen's Passport on the other hand who has entered the territory of the other High Contracting Party by virtue of this Treaty.

(3) Except as provided in article 13 a holder of a seaman's identity document referred to in article 12 shall be subject to the conditions and regulations governing the entry, stay and departure of foreign nationals in force in the territories of the High Contracting Parties.

*Article 15.* (1) Each High Contracting Party shall, so far as practicable, grant treatment similar to that provided for in article 13 to any member of the crew of a vessel of the other High Contracting Party (not being a national of either High Contracting Party) who holds a seaman's identity document issued by the competent authority of the State concerned and conforming with the provisions of the Convention on Facilitation of International Maritime Traffic, signed at London on 9th April, 1965,<sup>1</sup> provided that such document guarantees the re-admission of the bearer to the country which issued the document.

(2) The provisions of paragraphs (1) and (3) of article 14 shall apply in relation to any seaman to whom paragraph (1) of this article applies.

*Article 16.* (1) The judicial authorities of one High Contracting Party shall not entertain any civil proceedings arising out of a claim of the master or a member of the crew of a vessel of the other High Contracting Party relating to wages or to a contract of service without first giving notice to the consular officer of that Party, and shall decline to entertain the proceedings if the consular officer objects.

(2) Without prejudice to the provisions of paragraph (1) of this article, the judicial and administrative authorities of one High Contracting Party shall not, except at the request or with the consent of the competent consular officer, exercise jurisdiction or intervene (as the case may be) in respect of any matter occurring on board a vessel of the other High Contracting Party, including, provided that it is justifiable under the law of the former High Contracting Party, the detention on the vessel of any person. These authorities may, however, exercise any civil jurisdiction which is not excluded by the provisions of paragraph (1).

<sup>1</sup> United Nations; *Treaty Series*, vol. 591, p. 265.

- (3) The provisions of paragraph (2) of this article shall not apply:
- (a) in connexion with any offence committed on board the vessel of one High Contracting Party:
- (i) if the consequences of the offence extend to the territory of the other High Contracting Party;
  - (ii) if the offence is of a kind to disturb the peace of the territory of, or the good order of the territorial sea or of any port of, the latter High Contracting Party;
  - (iii) by or against a national of the latter High Contracting Party or by or against some person other than the master or a member of the crew;
  - (iv) constituting a grave offence under the law of the latter High Contracting Party; or
- (b) in connexion with any action taken by the authorities with regard to Customs, immigration, public health, the safety of life at sea, oil pollution, wireless telegraphy or any similar matter.

*Article 17.* The present Treaty shall be ratified and the instruments of ratification exchanged at Moscow as soon as possible. It shall enter into force on the date of exchange of the instruments of ratification and shall remain in force until twelve months from the date on which either High Contracting Party shall have notified in writing to the other Party its desire to terminate the Treaty.

IN WITNESS WHEREOF, the Plenipotentiaries of both High Contracting Parties have signed the present Treaty and affixed thereto their seals.

DONE in duplicate at London this 3rd day of April, 1968, in the English and Russian languages, both texts being equally authoritative.

For Her Britannic Majesty:

GORONWY ROBERTS  
J. P. W. MALLALIEU

For the Praesidium of the Supreme  
Soviet of the Union of Soviet  
Socialist Republics:

B. БАКАЕВ<sup>1</sup>

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<sup>1</sup> V. Bakaev.