

No. 13304

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**BULGARIA, CZECHOSLOVAKIA, GERMAN  
DEMOCRATIC REPUBLIC, HUNGARY,  
POLAND, ROMANIA and UNION OF  
SOVIET SOCIALIST REPUBLICS**

**Agreement on co-operation with regard to maritime merchant shipping. Signed at Budapest on 3 December 1971**

*Authentic text: Russian.*

*Registered by the Union of Soviet Socialist Republics on 20 May 1974.*

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**BULGARIE, HONGRIE, POLOGNE, RÉPUBLIQUE  
DÉMOCRATIQUE ALLEMANDE, ROUMANIE,  
TCHÉCOSLOVAQUIE et UNION DES  
RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES**

**Accord sur la coopération en matière de navigation maritime commerciale. Signé à Budapest le 3 décembre 1971**

*Texte authentique : russe.*

*Enregistré par l'Union des Républiques socialistes soviétiques le 20 mai 1974.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON CO-OPERATION WITH REGARD TO MARITIME MERCHANT SHIPPING

The Governments of the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Socialist Republic of Romania, the Union of Soviet Socialist Republics and the Czechoslovak Socialist Republic (hereinafter referred to as the "Contracting Parties"),

Desiring to promote the further development and strengthening of co-operation between their countries with regard to maritime merchant shipping, and

Being convinced that such co-operation is conducive to the attainment of the purposes set out in the Charter of the United Nations,

Have agreed as follows :

*Article 1.* The Contracting Parties shall make every effort to develop and strengthen the existing co-operation between their countries in the field of maritime merchant shipping.

*Article 2.* In accordance with article 1 of this Agreement, the Contracting Parties shall encourage bilateral and multilateral co-operation between the government departments responsible in their countries for marine transport activities and between shipping organizations and enterprises in order to develop their countries' marine transport and, in particular, to:

- Make fuller and more efficient use of the merchant marine and maritime ports to meet the demand for international marine transport;
- Develop co-operation in the field of chartering;
- Expand economic, scientific and technological relations and the exchange of experience;
- Exchange views regarding the activities of international organizations dealing with shipping problems, and to enter into international agreements on marine transport.

*Article 3.* The Contracting Parties reaffirm their adherence to the principles of the freedom of merchant shipping and their determination to oppose

<sup>1</sup> Came into force on 17 June 1973, i.e. 30 days after the Governments of the signatory States notified the Government of the Union of Soviet Socialist Republics that the procedures required under their legislation to that effect had been completed, in accordance with article 17. Notifications were deposited as follows:

State	Date of deposit of the notification	
Bulgaria .....	1 March	1972
Hungary .....	1 August	1972
German Democratic Republic .....	27 March	1972
Poland .....	20 April	1973
Romania .....	27 February	1973
Union of Soviet Socialist Republics .....	29 September	1972
Czechoslovakia .....	11 May	1972

any discriminatory measures in that field that would hinder the normal development of shipping.

*Article 4.* The Contracting Parties shall promote the effective development of international merchant shipping and, in particular, the successful solution of the economic, scientific, technological and legal problems that arise in that field. They express their readiness to co-operate in the attainment of the aforementioned goals with other countries on the basis of the principles of equality, non-interference in domestic affairs and mutual benefit.

*Article 5.* 1. The Contracting Parties agree:

- To encourage participation by their vessels in marine transport between the ports of their countries;
- To co-operate in removing obstacles that might hinder participation by vessels of the Contracting Parties in transport between the ports of their countries;
- Not to prevent vessels of the Contracting Parties from participating in marine transport between the ports of one of the Contracting Parties and the ports of third countries.

2. The provisions of paragraph 1 shall not affect the right of vessels of third countries to participate in transport between the ports of one of the Contracting Parties and the ports of the other Contracting Parties.

*Article 6.* 1. Vessels flying the flag of any of the Contracting Parties shall, in the ports of those Parties, be accorded, on a basis of reciprocity, the most favourable treatment that is accorded to national vessels engaged in international traffic, or, also on a basis of reciprocity, the most favourable treatment accorded to the vessels of other countries in all matters relating to entry into, stay in and departure from port; the use of ports for loading and unloading operations; embarkment and disembarkment of passengers; and the use of navigational services.

2. The provisions of paragraph 1 shall not apply: to ports that are not declared open for calls by foreign vessels; to pilotage operations; to such transport and other operations reserved by law to national organizations as cabotage towing, rescue and salvage; or to compliance with customs, administrative, sanitary and phytosanitary regulations and formalities in effect in the ports.

3. In all navigational matters not specifically mentioned in this Agreement, the Contracting Parties shall extend to each other most favoured nation treatment.

*Article 7.* 1. The Contracting Parties shall, on a basis of reciprocity, take steps to facilitate and expedite marine transport, to shorten the time spent by vessels in port, and to simplify as much as possible the customs, administrative, sanitary and phytosanitary formalities in effect in the ports.

2. The customs and fiscal authorities of the Contracting Parties shall, on a basis of reciprocity, refrain from imposing duties and fees on such items of equipment and machinery and on such spare parts and ship's stores on board vessels which are required for the operation and maintenance of the vessel and its machinery, and on stores intended for use and consumption on board by members of the crew and passengers.

3. Items of equipment and machinery, spare parts and ship's stores sent through the territory of any Contracting Party shall not be liable to the imposition of duties and fees provided they are intended exclusively for the normal operation of vessels flying the flag of one of the Contracting Parties and lying in ports of another Contracting Party.

*Article 8.* In the case of vessels flying the flag of a Contracting Party in whose territory there are no maritime ports for merchant shipping, the provisions of articles 6 and 7 of the Agreement shall apply irrespective of the conditions concerning reciprocity contained in those articles.

*Article 9.* 1. The Contracting Parties shall accord reciprocal recognition to the tonnage certificates and other ship's documents issued or recognized by the competent authorities of the State whose flag the vessel is flying.

2. Marine fees and taxes shall be calculated and levied on the basis of the tonnage certificates or equivalent documents currently in force that are carried on board the vessels.

*Article 10.* Shipping establishments, organizations and enterprises of one of the Contracting Parties shall, on a basis of reciprocity, be exempt in the territory of the other Contracting Parties from taxes on profits and income derived by such establishments, organizations and enterprises from the operation of vessels belonging to them or chartered by them for the purposes of international marine transport.

*Article 11.* 1. If a vessel flying the flag of one of the Contracting Parties is wrecked, runs aground, is driven ashore or suffers any other damage off the shore of any other Contracting Party, the necessary assistance and facilities shall be granted to the vessel, its crew, passengers and cargo by the competent authorities of the latter Party in the same measure as they would be granted to a vessel flying the flag of that Party.

2. If a vessel flying the flag of one of the Contracting Parties suffers damage or is in distress in the territorial or internal maritime waters of any other Contracting Party, the competent authorities of the latter Party may grant permission for the rescue vessels and equipment of the first Contracting Party to provide assistance to the vessels, its crew, passengers and cargo in accordance with its own domestic laws.

3. A vessel which has suffered damage or been in distress, and the cargo, stores and other property of that vessel, shall not be subject in the territory of another Contracting Party to port fees, taxes and customs duties provided the vessel has come there for purposes other than commercial operations, and its cargo, stores and other property have been brought there for purposes other than use or consumption in the territory of that Party.

The foregoing provisions shall not affect the levying of pilotage fees or payments made for actual services provided to a vessel that has suffered damage or been in distress.

*Article 12.* The Contracting Parties shall accord reciprocal recognition to the seamen's identity cards issued by the competent authorities of the State whose flag the vessel is flying.

Persons who are in possession of the aforementioned identity cards and whose names appear on the vessel's crew list shall be entitled to go ashore in

a port of any of the Contracting Parties for a temporary stay in the territory of the port town while the vessel is lying in that port.

The stay of seamen in the territory of the port town shall be regulated by the relevant rules in effect in the port of call.

*Article 13.* 1. All disputes between shipping establishments, organizations or enterprises of the Contracting Parties arising out of contractual and other civil law relationships that come into being between them in the course of co-operation for the purpose of applying this Agreement shall be subject to arbitration and shall not come within the jurisdiction of the State courts.

Disputes as aforesaid shall be submitted to arbitration in the country of the defendant or, by agreement between the shipping establishments, organizations or enterprises of the Contracting Parties, to arbitration in a third country that is a Party to the present Agreement.

2. The provisions of paragraph 1 of this article shall not extend to such disputes in respect of civil-law relationships as fall within the exclusive jurisdiction of the State courts or other authorities by virtue of international agreements concluded between the Parties, or to such disputes in respect of civil-law relationships as fall within the exclusive jurisdiction of the State courts or other national authorities by virtue of the domestic legislation of the Contracting Parties.

3. State-owned merchant vessels flying the flag of one of the Contracting Parties shall not be liable to seizure or attachment in the ports of the other Contracting Parties in connexion with the civil disputes referred to in paragraphs 1 and 2 of this article.

*Article 14.* The competent authorities of each of the Contracting Parties shall furnish necessary assistance to agencies in their territory representing shipping organizations and enterprises and establishments connected with shipping of other Contracting Parties in the discharge of the functions of those agencies.

The activities of such agencies shall be subject to the relevant laws and regulations in force in the territory of the country in which they are situated.

*Article 15.* After this Agreement has come into force, any State may become a party to it.

The accession of other States may take place on the basis of an understanding between them and the Contracting Parties.

*Article 16.* This Agreement has been concluded for an unlimited period.

A Contracting Party may denounce this Agreement by notifying the depositary accordingly in writing not less than six months before the end of the current calendar year. The denunciation shall take effect from 1 January of the following calendar year.

*Article 17.* This Agreement shall come into force 30 days after the Governments of the signatory States notify the depositary that the procedures required under their legislation for the Agreement to come into force have been completed.

*Article 18.* This Agreement may be amended subject to the consent of all the Contracting Parties in accordance with the procedure set out in article 17.

*Article 19.* This Agreement shall be deposited with the Government of the Union of Soviet Socialist Republics which shall act as depositary for the Agreement.

The depositary shall transmit certified copies of this Agreement to all the signatory States.

DONE at Budapest on 3 December 1971 in one original copy in the Russian language.

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

[L. KYUCHUKOV]

For the Government of the Hungarian People's Republic:

[D. CSANÁDI]

For the Government of the German Democratic Republic:

[F. WINKLER]

For the Government of the Polish People's Republic:

[S. PIERKOWICZ]

For the Government of the Socialist Republic of Romania:

[C. BURADA]

For the Government of the Union of Soviet Socialist Republics:

[T. GUZHENKO]

For the Government of the Czechoslovak Socialist Republic:

[Š. ŠUTKA]