

No. 14476

**UNION OF SOVIET SOCIALIST REPUBLICS
and
ALGERIA**

**Agreement concerning maritime navigation. Signed at
Algiers on 18 April 1973**

Authentic texts: Russian and French.

*Registered by the Union of Soviet Socialist Republics on 23 December
1975.*

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
ALGÉRIE**

**Accord sur la navigation maritime. Signé à Alger le 18 avril
1973**

Textes authentiques: russe et français.

*Enregistré par l'Union des Républiques socialistes soviétiques le
23 décembre 1975.*

[TRANSLATION—TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA CONCERNING MARITIME NAVIGATION

The Government of the Union of Soviet Socialist Republics and the Government of the People's Democratic Republic of Algeria, convinced that the development of maritime navigation between the USSR and the People's Democratic Republic of Algeria will contribute to the strengthening of the friendly relations which have been established between the two countries, and desiring to harmonize their maritime trade, have agreed as follows:

Article 1. This Agreement shall apply to the territory of the Union of Soviet Socialist Republics, on the one hand, and to the territory of the People's Democratic Republic of Algeria, on the other.

Article 2. In this Agreement:

1. The term "ship of a Contracting Party" means any merchant vessel flying the national flag of that Party in accordance with its legislation. This definition excludes warships from the sphere of application of this Agreement.

2. The term "crew member of a ship" means any person actually employed for duties on board during a voyage in the working or service of a ship and included in the crew list.

Article 3. The Contracting Parties agree:

- (a) to encourage the participation of ships of the USSR and of the People's Democratic Republic of Algeria in the transport of goods and passengers between the ports of the two countries and not to prevent any ship sailing under the flag of the other Contracting Party from engaging in maritime transport between the ports of its country and ports of third countries, except for countries with which the People's Democratic Republic of Algeria has or will have agreements on reserved transport;
- (b) to encourage co-operation between governmental bodies and national shipping enterprises of the two Parties with a view to removing obstacles which may hinder the development of maritime trade and of the various types of activity connected with such trade.

Article 4. The Contracting Parties agree:

- (a) to prohibit any kind of discrimination in their ports against ships of the other Contracting Party;
- (b) to refrain from any action which might be prejudicial to maritime navigation between the two countries.

Article 5. The merchant fleets of the USSR and the People's Democratic Republic of Algeria shall each have the right to provide an equal proportion of the

¹ Applied provisionally from 18 April 1973, the date of signature, and came into force definitively on 14 December 1973, i.e., 30 days after the date of the last of the notifications by which the Parties informed each other of the completion of the required constitutional procedures, in accordance with article 19.

transport determined on the basis of the total value of the freight charged for the total amount of trade between the ports of the two countries.

Article 6. As soon as this Agreement has been signed, the Contracting Parties shall establish a maritime commission consisting of representatives of their competent merchant marine authorities and of their national shipping companies.

The commission shall be responsible for the application of this Agreement and shall determine the conditions for the distribution of traffic on regular routes and in tramping, applying to each of those types of transport the principles stated in the preceding article.

Article 7. 1. In respect of the levying of port dues and charges, free access to ports, the use of ports and all other facilities provided to ships, their crews, passengers and cargo for navigation and commercial transactions, each Contracting Party shall ensure that ships of the other Contracting Party in its ports are accorded the same treatment that it accords to its own ships. This provision refers in particular to the allocation of docking space and to all types of facilities for loading and unloading operations.

2. The provisions of the preceding paragraph shall not apply to navigation, activities and transport which are legally reserved by each of the Contracting Parties for itself and, in particular, to port services, towage, pilotage, the domestic coasting trade and sea fishing, or to the formalities concerning the admission and residence of aliens.

Article 8. The Contracting Parties shall, within the limits of their legislation and port regulations, take the necessary measures to reduce as far as possible the time spent by ships in ports and to simplify and facilitate the completion of the administrative, health and customs formalities which are required in those ports.

Article 9. 1. Each Contracting Party shall recognize the nationality of ships of the other Contracting Party on the basis of the documents on board those ships. It shall also recognize all other documents issued or recognized by the competent authorities of the other Contracting Party in accordance with its laws and regulations.

2. The calculation and levying of port dues and charges in respect of ships of one Contracting Party in the ports of the other Contracting Party shall be effected on the basis of the tonnage certificates on board the ships issued by the competent authorities in accordance with the laws and regulations of the ships' flag State, without remeasurement.

Article 10. Each Contracting Party shall extend to the bearers of seafarer's identity documents issued by the competent authorities of the other Contracting Party the rights specified in articles 11 and 12 of this Agreement. Such identity documents shall be:

- in the case of Soviet seafarers—the "USSR seaman's passport";
- in the case of Algerian seafarers—the "Maritime professional book".

Article 11. Persons in possession of the identity documents referred to in article 10 of this Agreement shall be permitted as crew members of a ship of one of the Contracting Parties, to go ashore while the ship is lying in a port of the other Contracting Party, provided that such persons are included in the crew list and in the list submitted to the port authorities in accordance with the port regulations.

When going on shore and returning to the ship, such persons must go through the required control.

Article 12. 1. Persons who are in possession of the identity documents of one of the Contracting Parties referred to in article 10 of this Agreement but are not included in the crew list of any ship shall be permitted to pass through the territory of the other Contracting Party in order to report for work on board a ship in a port of the said other Contracting Party, provided that their identity documents bear a visa of that Party and they hold an embarkation order.

Such visas shall be issued by the competent authorities of each Contracting Party as quickly as possible. Their validity shall be limited to a period of four consecutive days, which may, in exceptional cases, be extended for reasons found acceptable by the competent authorities.

2. If a crew member of a ship bearing an identity document referred to in article 10 is sent ashore in a port of the other Contracting Party for health reasons, because of service conditions or for other reasons recognized as valid by the local authorities, the latter shall give the necessary authorization to the person concerned to remain in the territory of that Contracting Party if hospitalization is needed and either to return to his country of origin or to proceed to another port of embarkation.

3. In the interests of navigation, the master of a ship which is in a port of the other Contracting Party, or a crew member designated by him, shall be permitted to communicate with the diplomatic or consular representative of his country or a representative of his company.

4. The movement of the above-mentioned persons in the territory of each of the Contracting Parties to the place of destination shall be regulated by the provisions in force in that territory concerning the movement of aliens.

Article 13. Each Contracting Party reserves the right to refuse admission to its territory to persons holding the seafarer's identity documents referred to in article 10, whom it regards as undesirable.

Article 14. 1. The competent authorities of one Contracting Party shall intervene in the event of a crime committed on board a ship of the other Contracting Party while it is in a port of the first Contracting Party only in one of the following cases:

- (a) if a request for intervention is made by a diplomatic or consular representative, or with his consent;
- (b) if the offence or dispute, or the consequences thereof are such as to constitute a breach of the peace and public order in the territory or in the port or to endanger public safety;
- (c) if persons who are not members of the crew are involved.

2. The judicial authorities of one Contracting Party shall consider civil cases arising from disputes between the master and any crew member of a ship of the other Contracting Party concerning wages or a labour contract only at the request or with the consent of the diplomatic or consular representative of the ship's flag State.

3. The provisions of this article shall not affect the rights of the local authorities in all matters relating to the application of customs and health legislation and rules, or of other measures of control relating to the safety of ships

and ports, the protection of human life, the security of cargoes and the admission of aliens.

Article 15. 1. If a ship of one Contracting Party is wrecked, runs aground or sustains any other damage on the coast of the territory of the other Contracting Party, the competent authorities of that Party shall render to the passengers and crew and also to the ship and its cargo the same aid and assistance as to a ship flying its own flag.

2. A ship, which has been damaged, and its cargo and stores shall be exempt from customs duties unless they are delivered for consumption or use in the territory of the other Contracting Party.

Article 16. Ships and property on board which are in the territory of one of the Contracting Parties and belong to the other Contracting Party shall not be seized or detained on the basis of any property claim.

Article 17. Each Contracting Party undertakes to ensure that its competent authorities render assistance to organizations and individuals in its territory representing the interests of shipping enterprises of their country.

The activities of such organizations and individuals shall be subject to the laws and regulations which are in force in the territory of the country of residence.

Article 18. The shipping enterprises and companies established in the territory of one Contracting Party shall not be subject in the territory of the other Contracting Party to taxes on the profits and income arising from their maritime transport activities.

Article 19. The provisions of this Agreement shall be applied provisionally from the date of its signature.

Each Contracting Party shall notify the other Party of the completion of the procedures required under its Constitution for the final entry into force of this Agreement, which shall enter into force thirty (30) days after the date of the last notification.

Article 20. This Agreement is concluded for a period of five (5) years after the date of its final entry into force.

On the expiry of that first period, this Agreement shall be renewed from year to year by tacit agreement unless it is denounced by one of the two Contracting Parties with twelve (12) months' notice.

DONE at Algiers on 18 April 1973, in duplicate in the Russian and French languages, both texts being equally authentic.

For the Government
of the Union of Soviet
Socialist Republics:
[T. GUZHENKO]

For the Government
of the Democratic People's Republic
of Algeria:
[R. BITAT]