

No. 14772

**UNION OF SOVIET SOCIALIST REPUBLICS
and
FRANCE**

Maritime Agreement. Signed at Paris on 20 April 1967

Authentic texts: Russian and French.

Registered by the Union of Soviet Socialist Republics on 26 May 1976.

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SOVIÉTIQUES
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[TRANSLATION — TRADUCTION]

MARITIME AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE GOVERNMENT OF THE FRENCH REPUBLIC

The Government of the Union of Soviet Socialist Republics and the Government of the French Republic,

Desiring to ensure the harmonious development of maritime trade between the Soviet Union and France on the basis of the freedom of merchant shipping, have agreed as follows:

Article 1. For the purposes of this Agreement:

1. The term “ship of a Contracting Party” means any vessel flying the flag of that Party in accordance with its laws. The term shall not, however, include war-ships.

2. The term “crew member of 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 2. This Agreement shall apply to the territory of the Union of Soviet Socialist Republics, on the one hand, and to the territory of the French Republic, on the other.

Article 3. The Contracting Parties reaffirm their commitment to the principles of the freedom of international merchant shipping and agree to refrain from any action of a discriminatory nature in this respect, being convinced that such action could be prejudicial to the development of international trade.

Article 4. The Contracting Parties agree:

- (a) to encourage the participation of ships of the Soviet Union and of France in freight transport 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 freight transport between the ports of its country and ports of third countries;
- (b) to co-operate in removing obstacles which may hinder the development of maritime trade between the ports of the two countries and the various activities connected with such trade.

The provisions of this article, which take into account the mutual interests of the two countries, shall not affect the right of ships sailing under the flag of a third country to participate in freight transport between the ports of the Contracting Parties.

Article 5. The Contracting Parties agree to strengthen mutual co-operation in the field of maritime transport in the spirit of the Agreement on scientific, technical and economic co-operation of 30 June 1966.²

¹ Came into force on 1 September 1967, i.e. the first day of the second month following the last of the notifications by which the Contracting Parties had informed each other of the completion of their required constitutional procedures, in accordance with article 18.

² United Nations, *Treaty Series*, vol. 589, p. 109.

Article 6. 1. In respect of the levying of port dues and charges, free access to ports and the use for ships, passengers, crews and cargo of all the facilities provided for navigation and commercial transactions, each Contracting Party shall ensure that ships sailing under the flag of the other Party are accorded the same treatment in its ports that it accords to its own ships. This provision refers, in particular, to the allocation of docking space and loading and unloading facilities.

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 7. The Contracting Parties shall, within the limits of their legislation and port regulations, take the necessary measures, wherever possible, to reduce the time spent by ships in ports and to simplify the completion of administrative, customs and health formalities applicable in ports.

As regards those formalities, the treatment accorded shall be that of most favoured nation.

Article 8. Each Contracting Party shall recognize the nationality of ships of the other Contracting Party on the basis of the documents on board those ships issued by the competent authorities of the other Contracting Party in accordance with its laws and regulations.

Article 9. Tonnage certificates issued by the competent authorities shall be recognized by both Parties. Maritime dues and charges shall be calculated and levied on the basis of these tonnage certificates without remeasurement, in accordance with the provisions applicable in the territory of the other Party.

Article 10. Each Contracting Party shall recognize the seafarer's identity documents issued by the competent authorities of the other Contracting Party. Such identity documents shall be:

- in the case of the Soviet Union, the "USSR seaman's passport";
- in the case of the French Republic, the "Maritime professional *carte*".

Article 11. Persons in possession of the identity documents referred to in article 10 of this Agreement may go ashore without a visa and stay in the area of the port of call while the ship is lying in the port, provided that they are included in the crew list and in the list submitted to the port authorities.

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 entitled to pass through the territory of the other Contracting Party in order to report for duty on board a ship in a port of the other 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 15 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 holding 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, that Party shall give the necessary authorization to the person concerned to remain in its territory, 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 receive permission to visit the consul of the ship's flag State or a representative of the company which owns or has chartered the ship.

Article 13. The Contracting Parties reserve the right to refuse admission to their respective territories to persons holding the recognized seafarer's identity documents whom they regard as undesirable.

Article 14. 1. The judicial authorities of one Contracting Party shall entertain civil proceedings arising out of disputes between the master and any crew member of a ship of the other Contracting Party concerning wages or a contract of service only at the request or with the consent of the consular officer of the ship's flag State.

2. The administrative and judicial authorities of one Contracting Party shall intervene in the event of an offence committed on board a ship of the other Contracting Party while it is in a port of the first Party only in one of the following cases:

- (a) if a request for intervention is made by the consul, or with his consent;
- (b) if the offence or its consequences are such as to disturb the peace or public order in the territory or in the port or to endanger public safety;
- (c) if a person who is not a crew member is involved.

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 laws and regulations, 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. The enterprises of one Contracting Party shall not be subject in the other Contracting Party to taxes on the profits and income which such enterprises derive from the operation in international transport of ships owned or chartered by them.

The scope of and procedures for the application of this provision shall be determined by an exchange of letters.

Article 16. If a ship of one Contracting Party is wrecked, runs aground on a shoal or on shore or sustains any other damage on the coast of the other State, the competent authorities of that State shall render to the passengers and also to the ship and its cargo the same aid and assistance as to a ship flying its own flag.

A ship which has been damaged and its cargo and stores shall be exempt from customs duties unless they are delivered for local use or consumption.

Article 17. In order to ensure the co-ordinated application of the provisions of articles 3, 4 and 5 of this Agreement, the Contracting Parties agree:

- to hold consultations and exchange information through their competent bodies in relation to various aspects of maritime trade;

- to encourage contacts at the highest level between official representatives of those competent bodies, and also contacts between representatives of interested business circles;
- to entrust the study of questions relating to the improvement and development of maritime transport between the ports of the two countries to a mixed commission, which shall operate within the framework of the joint declaration of 30 June 1966.

Article 18. Each Contracting Party shall notify the other Party of the completion of the procedures required under its Constitution for the entry into force of this Agreement, which shall enter into force on the first day of the second month after the date of the last notification.

This Agreement shall remain in force until one of the Contracting Parties denounces it with six months' notice.

IN WITNESS WHEREOF the undersigned, duly authorized by their respective Governments, have signed this Agreement and affixed their seals thereto.

DONE at Paris on 20 April 1967, in duplicate in the Russian and French languages, both texts being equally authentic.

For the Government
of the Union of Soviet Socialist
Republics:
[V. BAKAEV]

For the Government
of the French Republic:
[J. CHAMAN]