

No. 17763

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**CZECHOSLOVAKIA  
and  
CUBA**

**Agreement on trade and shipping. Signed at Havana on  
5 November 1977**

*Authentic texts: Czech and Spanish.*

*Registered by Czechoslovakia on 18 April 1979.*

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**TCHÉCOSLOVAQUIE  
et  
CUBA**

**Accord sur le commerce et la navigation. Signé à La Havane  
le 5 novembre 1977**

*Textes authentiques : tchèque et espagnol.*

*Enregistré par la Tchécoslovaquie le 18 avril 1979.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON TRADE AND SHIPPING BETWEEN THE  
CZECHOSLOVAK SOCIALIST REPUBLIC AND THE REPUBLIC  
OF CUBA

The Czechoslovak Socialist Republic and the Republic of Cuba desiring to strengthen and develop trade and shipping relations still further between the two countries on the basis of equal rights and common benefits, have agreed as follows:

*Article I.* The Contracting Parties shall adopt all necessary measures for developing and strengthening trade relations between the two countries with a view to promoting friendly collaboration and mutual assistance, in accordance with the principle of reciprocal rights and benefits.

For this purpose the Contracting Parties shall negotiate agreements on trade, including long-term agreements and agreements on other terms, for the purpose of ensuring the development of merchandise trade in accordance with the needs of the national economies of the two States.

*Article II.* The Contracting Parties agree to grant each other unconditional most-favoured-nation treatment in all matters relating to trade and maritime shipping and in all other economic relations between the two countries.

*Article III.* The most-favoured-nation principle shall apply in all matters relating to customs duties and tariffs, consular fees and any other charges and duties which are or may become applicable in respect of the import or export of goods, as also in regard to the method of collection thereof and to all customs clearance regulations and formalities.

*Article IV.* Notwithstanding the provisions of articles II and III, most-favoured-nation treatment shall not extend to:

- (a) Any privileges which the Government of the Republic of Czechoslovakia has granted or may in future grant to neighboring countries for the purpose of facilitating border traffic;
- (b) Any privileges which the Government of the Republic of Cuba has granted or may in future grant to any developing country for the purpose of strengthening and developing trade with such country;
- (c) Any privileges which either party may grant to third countries as a result of negotiations establishing customs unions, free-trade areas or regional economic integration;
- (d) Any privileges which the parties have granted or may in future grant to third countries with which special agreements are concluded on liner services.

*Article V.* All merchandise of one of the Contracting Parties transported from or to the territory of third parties through the territory of the other Contracting Party shall be exempt from customs duties, charges and other levies.

<sup>1</sup> Came into force on 15 December 1978 by the exchange of the instruments of ratification, which took place at Prague, in accordance with article XIII.

The provisions and formalities applicable to the transit of such merchandise shall not be less favourable than those applicable to the merchandise of any third country.

*Article VI.* Samples of merchandise exported from the territory of either Contracting Party to the territory of the other Contracting Party in amounts customary in the trade and used exclusively as samples, as also catalogues, price lists, trade notices and commercial advertising material, including films, shall be exempt from customs duty and other charges, both on importation and on re-exportation.

In addition, the two Contracting Parties agree to permit on a basis of reciprocity the temporary admission of the following items free of customs duties and other taxes on imported goods:

- (a) Articles intended for exhibitions and fairs;
- (b) Articles, instruments, materials and tools intended for experiments, tests and repairs;
- (c) Tools and instruments to be used in assembly operations and scientific and technical assistance;
- (d) Marked containers imported empty and declared to be re-exported full, as also containers with goods imported and to be re-exported.

The time limit and other conditions applying to such temporary admission shall be established in each case in accordance with the purposes for which the articles were granted exemption.

*Article VII.* Neither Party shall apply, in respect of imports from the territory of the other Contracting Party or exports to that country, any restrictions or prohibitions which do not apply to all other countries.

*Article VIII.* Vessels of the Czechoslovak Socialist Republic and their cargoes shall be subject, on arrival and departure, as also during their stay in ports of the Republic of Cuba, to the same conditions as apply to most-favoured-nation vessels and cargoes with respect to:

- (a) Charges and duties of any kind payable to or for account of State institutions or other organizations;
- (b) The arrival and departure of vessels, loading and unloading in ports and anchorages;
- (c) The use of pilot and towing services, canals and locks, signals and lighting of navigable waters;
- (d) The use of cranes, weighing equipment, warehouses, shipyards, docks and repair yards;
- (e) The provision of fuel, lubricants, water and supplies;
- (f) Medical and health care.

The provisions of the preceding paragraph shall not entitle the Czechoslovak Socialist Republic to engage in port services, including pilotage and towing services in the ports and territorial waters of the Republic of Cuba; or in coasting, refloating, rescue and assistance which shall be reserved for the national flag, unless prior authorization is given by the competent authorities of the Republic of Cuba.

This article shall not apply to coasting trade, fishing or any other activity carried out by the Government of the Republic of Cuba for the protection and development of the Cuban merchant marine.

Vessels of the Czechoslovak Socialist Republic which sail from one port of the Republic of Cuba to another, for the purpose of unloading cargo from the Czechoslovak Socialist Republic or a third country, or of loading cargo bound for the Czechoslovak Socialist Republic or a third country shall not be deemed to be engaged in coasting trade.

*Article IX.* In the event that a vessel of the Czechoslovak Socialist Republic suffers damage, runs aground or is shipwrecked near or in the coastal waters of the Republic of Cuba, the persons on board, the vessel and the cargo shall be given appropriate assistance and the same benefits and privileges as the law of Cuba accords to its own vessels and to the persons and cargoes on board.

*Article X.* The nationality of vessels of the Czechoslovak Socialist Republic shall be recognized by the competent authorities of the Republic of Cuba on the basis of the documents which are carried aboard and have been issued by the competent authorities of the Czechoslovak Socialist Republic in accordance with its laws and regulations. Tonnage certificates and other ship's papers which are carried aboard and have been issued in accordance with Czechoslovak regulations shall be recognized by the competent authorities of the Republic of Cuba.

In accordance with the foregoing, vessels of the Czechoslovak Socialist Republic carrying lawfully issued tonnage certificates shall be exempt from remeasurement in the ports of the Republic of Cuba and the tonnage as entered in the certificates shall be taken as the basis for levying harbour dues.

*Article XI.* The competent maritime shipping authorities of each Contracting Party may, by prior agreement, send to, and maintain in, the territory of the other Contracting Party agencies with their own staff. Such agencies shall enjoy the same rights and privileges as are accorded to the corresponding agencies of any third country.

*Article XII.* In order to ensure efficient transport for the merchandise trade carried on between the Czechoslovak Socialist Republic and the Republic of Cuba, the competent authorities of the two Contracting Parties shall sign annual transport protocols setting forth the requisite maritime shipping arrangements.

*Article XIII.* This Agreement shall be subject to ratification. The instruments of ratification shall be exchanged as soon as possible.

The Agreement shall enter into force on the day on which the instruments of ratification are exchanged and shall remain in force until six months from the day on which either Party notifies the other in writing of its intention to denounce it.

SIGNED at Havana, on 5 November 1977, in two originals in the Czech and Spanish languages, both texts being equally authentic.

For the Czechoslovak  
Socialist Republic:

ANDREJ BARČÁK

For the Republic of Cuba:

MARCELO FERNÁNDEZ FONT