

No. 18997

**UNION OF SOVIET SOCIALIST REPUBLICS
and
ETHIOPIA**

**Agreement on merchant shipping. Signed at Addis Ababa
on 4 August 1978**

Authentic texts: Russian and English.

Registered by the Union of Soviet Socialist Republics on 18 July 1980.

**UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
ÉTHIOPIE**

**Accord relatif à la marine marchande. Signé à Addis-Abéba
le 4 août 1978**

Textes authentiques: russe et anglais.

*Enregistré par l'Union des Républiques socialistes soviétiques le 18 juillet
1980.*

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE PROVISIONAL MILITARY GOVERNMENT OF SOCIALIST ETHIOPIA ON MERCHANT SHIPPING

The Government of the Union of Soviet Socialist Republics and the Provisional Military Government of Socialist Ethiopia, desiring to develop merchant shipping between the two countries on the basis of equal rights and mutual benefit and to contribute to the normal development of international shipping have agreed as follows:

Article I. In this Agreement:

(a) The term “merchant shipping” shall mean the transportation of passengers and cargoes by sea;

(b) The term “vessel of the Contracting Party” shall mean any vessel registered in the shipping register of this Party and flying its flag. The term shall not, however, include ships of war;

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

Article II. The Contracting Parties agree to carry on mutual consultations 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 organizations.

Article III. 1. In accordance with article II of this Agreement the Contracting Parties agree:

- (a) To promote participation of the vessels of the Contracting Parties in merchant shipping;
- (b) To cooperate in the elimination of obstacles which might hamper the development of merchant shipping between their ports as well as international shipping;
- (c) To render to each other, within the available possibilities, technical assistance in developing merchant fleets including training of seamen.

2. The vessels of the Contracting Parties shall have fair and equal opportunity to participate in the transportation of cargoes between the ports of their countries. The vessels of third flag countries chartered by the Contracting Parties or by their respective shipping organizations may also participate in such transportation.

Article IV. 1. Each Contracting Party shall afford to vessels of the other Contracting Party the same treatment as it affords to vessels of any third country engaged in the international voyages in respect of access to ports, use of ports for loading and unloading of cargoes and for embarking and disembarking passengers, payment of tonnage and other dues and use of services intended for shipping.

¹ Came into force on 30 March 1979, the date of the last of the notifications by which the Contracting Parties informed each other of the completion of the required procedures, in accordance with article XV (1).

2. Each Contracting Party shall afford, as far as it is consistent with its legislation, to the vessels of third countries chartered by the other Contracting Party or by its respective shipping organizations the same treatment in its ports as granted to the vessels of that other Contracting Party.

Article V. The Contracting Parties shall adopt, within the limits of their laws and port regulations, all appropriate measures to facilitate and expedite maritime traffic, to prevent unnecessary delays to vessels and to render all possible assistance in the carrying out of customs and other formalities applicable at the ports.

Article VI. If a vessel of one of the Contracting Parties suffers shipwreck, runs aground, is cast ashore or suffers any other accident off the coast of the other Contracting Party, the crew, passengers, the vessel and the cargo shall be granted by the latter Party all possible help and assistance in accordance with accepted international practice.

Article VII. 1. Subject to the provisions of paragraph 2 of this article, the documents certifying the nationality of vessels and other ship's documents issued by one Contracting Party shall be recognized by the other Contracting Party.

2. Notwithstanding the existence of a certificate issued by one Contracting Party in respect of the tonnage of its vessel, the competent authorities of the other Contracting Party may, if they deem it necessary, by measurement of that vessel determine its tonnage in accordance with the laws and regulations applicable at the ports.

Article VIII. Each of the Contracting Parties shall grant to the holders of the seamen's identity documents issued by the competent authority of the other Contracting Party, rights provided in articles IX and X of this Agreement subject to corresponding conditions. These identity documents are:

- For seamen of the Soviet vessels: a USSR seaman's passport;
- For seamen of the Ethiopian vessels: Ethiopian seaman's book and passport.

Article IX. Holders of the seamen's identity documents specified in article VIII of this Agreement are permitted in the case of being members of the crew of the vessel of the Contracting Party which issued the seaman's identity document to stay for temporary shore leave without visas during the stay of the vessel in a port of the other Contracting Party, provided that the master has submitted the crew list to the competent authorities in accordance with the regulations in force in that port.

While landing and returning to the vessel, the persons mentioned are subject to frontier and customs control in force in that port.

Article X. 1. Holders of the seamen's identity documents specified in article VIII of this Agreement shall be permitted as passengers by any means of transport to enter the territory of the other Contracting Party or to pass through its territory in transit for the purpose of:

- (a) Joining their vessel;
- (b) Transferring to another vessel;
- (c) Returning to the motherland; or

for any other purpose approved by the authorities of that other Contracting Party.

2. In all the cases specified in paragraph 1 of this article, the seamen must have corresponding visas of the other Contracting Party which shall be granted by the competent authorities with the shortest possible delay.

Article XI. Subject to the provisions of articles VIII to X of this Agreement, the regulations in respect of entry, stay and departure of foreign nationals are kept fully in force in the territories of the Contracting Parties.

Article XII. 1. The judicial authorities of one of the Contracting Parties shall not entertain proceedings arising out of a contract of service as a member of the crew of a vessel of the other Contracting Party without the consent of the competent diplomatic or consular official of this other Party.

2. The criminal jurisdiction of one Contracting Party shall not be exercised in respect of an offence committed on board a vessel of the other Contracting Party while in the internal waters of the former Contracting Party without the consent of the competent diplomatic or consular official of the flag state of the vessel, unless in the opinion of the local competent authorities:

- (a) The consequences of the offence extend to the territory of the host country; or
- (b) The offence is of a kind to disturb the peace, public order or security of the host country; or
- (c) The offence constitutes a grave crime; or
- (d) The offence has been committed by a person other than a member of the crew of that vessel.

3. The provisions of paragraph 2 of this article do not affect the right of control and inquiry, which the authorities of each Contracting Party have under their legislation.

Article XIII. 1. If civil proceedings are brought in the courts of one Contracting Party concerning:

- (a) The operation of any vessel engaged on commercial service; or
- (b) The carriage of passengers or cargo on any such vessel;

the case shall, whether or not the other Contracting Party has an interest in the vessel or cargo, be dealt with in accordance with the normal legal procedures applicable in those courts in cases of a private character.

2. In the territory of one of the Contracting Parties the vessel owned by the other Contracting Party shall not be subject to detention or arrest in connection with any civil proceedings.

Each Contracting Party shall, however, take the necessary administrative measures to give effect to any judgement of, or settlement filed with and taking effect as an order of, the court of the other Contracting Party in civil proceedings specified in paragraph 1 of this article.

Article XIV. A Mixed Commission consisting of the representatives of the competent authorities of the Contracting Parties shall, upon request of either Party, convene periodical meetings on matters concerning this Agreement.

Article XV. 1. Each of the Contracting Parties shall notify the other Contracting Party on completion of procedures necessary in accordance with its respective laws and regulations for this Agreement to enter into force which shall become effective from the date of last notification.

2. This Agreement shall be valid for an indefinite period and remain in force for six months from the date on which one Contracting Party has given a written notice to the other Party of its intention to terminate it.

IN WITNESS WHEREOF, the undersigned, duly empowered by their respective Governments, have signed this Agreement.

DONE in duplicate in Addis Ababa this 4th day of August 1978, in Russian and English languages, both texts being equally authentic.

For the Government
of the Union of Soviet
Socialist Republics:

[Signed—Signé]¹

For the Provisional Military
Government of Socialist Ethiopia:

[Signed—Signé]²

¹ Signed by A. Ratanov—Signé par A. Ratanov.

² Signed by Yusuf Ahmed—Signé par Yousouf Ahmed.