

**No. 24598**

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**CYPRUS  
and  
BULGARIA**

**Agreement on co-operation in the field of merchant shipping. Signed at Sofia on 19 December 1985**

*Authentic text: English.*

*Registered by Cyprus on 13 January 1987.*

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**CHYPRE  
et  
BULGARIE**

**Accord relatif à la coopération en matière de marine marchande. Signé à Sofia le 19 décembre 1985**

*Texte authentique : anglais.*

*Enregistré par Chypre le 13 janvier 1987.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE REPUBLIC OF CYPRUS AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BULGARIA ON COOPERATION IN THE FIELD OF MERCHANT SHIPPING

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The Government of the Republic of Cyprus and the Government of the People's Republic of Bulgaria (hereinafter called the Contracting Parties);

Desirous of strengthening the friendly relations between the Republic of Cyprus and the People's Republic of Bulgaria;

With the aim of developing and extending cooperation between the Republic of Cyprus and the People's Republic of Bulgaria in the field of merchant shipping according to the principles of international law as they are also stated in the Final Act of the Conference on Security and Cooperation in Europe,<sup>2</sup>

Have agreed as follows:

*Article 1.* The Contracting Parties agree to cooperate on the basis of the principles of sovereign equality, mutual benefit, mutual respect to the respective laws and the principle of freedom of merchant shipping in order to develop the relations between the Republic of Cyprus and the People's Republic of Bulgaria in the field of merchant shipping.

*Article 2.* For the purposes of this Agreement:

a) The term "vessel of a Contracting Party" shall mean any merchant vessel sailing under the national flag of that Party in accordance with its legislation, and registered in its territory.

This term excludes warships, research, fishing and other vessels engaged in non-commercial activities.

b) The term "member of the crew" shall mean any person, including the master, actually engaged on board the vessel performing duties related to the operation, navigation or maintenance of the vessel, and included in the crew list.

c) The term "port of one Contracting Party" shall mean any sea port, including roadsteads, in the territory of that Contracting Party which is approved and legally open to international shipping by that Contracting Party.

*Article 3.* This Agreement shall be applied in the territory of the Republic of Cyprus, and in the territory of the People's Republic of Bulgaria.

*Article 4.* 1. The Contracting Parties shall render each other all-round assistance for developing cooperation in the field of merchant shipping, and shall abstain from any action which would hinder this development.

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<sup>1</sup> Came into force on 3 November 1986, i.e., 30 days after the date of receipt of the last of the notifications (effected on 4 September and 3 October 1986) by which the Contracting Parties had informed each other of the fulfilment of the required procedures, in accordance with article 22 (1).

<sup>2</sup> *International Legal Materials*, vol. 14 (1975), p. 1292 (American Society of International Law).

2. The Contracting Parties agree:

- a) To encourage the participation of their vessels in the transportation of goods between the ports of the Republic of Cyprus, and the ports of the People's Republic of Bulgaria;
- b) Not to prevent the participation of vessels of the one Contracting Party in the transportation of goods between the ports of the other Contracting Party, and to and from the ports of third countries.

3. The provisions of this Article shall not affect the right of vessels flying the flag of a third State to participate in the transportation of goods between ports of the Contracting Parties as well as between ports of the one Contracting Party and ports of third countries.

4. With a view to applying the provisions of this Article, the shipping enterprises registered in the territory of either Contracting Party and operating in accordance with its legislation shall be entitled to establish and operate individual or joint ship services as well as to conclude bilateral agreements concerning technical, organizational or commercial matters, related to shipping.

*Article 5.* Each Contracting Party shall have the right to set up representation, whenever necessary, of its shipping enterprises or companies in the territory of the other Contracting Party. The activities of this representation shall be in conformity with the respective laws and regulations in force in the territory of the Party where it has been set up.

*Article 6.* 1. The vessels, crews, passengers and cargo of either Contracting Party staying at a port of the other Contracting Party shall be rendered the same terms and treatment as to vessels, their crews, passengers and cargo of the most favoured nation regarding the free access to the ports of the latter Party, staying in ports, the use of ports for performing the usual loading-unloading operations, embarkation and disembarkation of passengers, the use of facilities provided for effecting usual commercial operations of any kind, the free leaving of ports and the collection of fees, dues and charges.

2. The provisions of this Article will not affect the shipping or navigational activities legally preserved for the national authorities, such as cabotage, pilotage, towing and coastal fishing.

*Article 7.* The Contracting Parties shall adopt, within the limits of their respective national laws and regulations, all appropriate measures to reduce, as far as possible, unnecessary delays of vessels in ports and to simplify, as far as possible, the carrying out of administrative, customs and sanitary formalities applicable in ports especially regarding passenger vessels.

*Article 8.* 1. Each Contracting Party shall recognize the documents certifying the nationality of vessels, the measurement certificate, and the other ship documents on board these vessels, including the certificate of competency of their crews issued or recognized by the competent authorities of the other Contracting Party in accordance with its national legislation and international conventions in force and ratified by that Contracting Party.

2. The vessels of one Contracting Party, possessing measurement certificates, regularly issued, or recognized by its competent authorities, shall be exempted from remeasurement in the ports of the other Contracting Party. Calculation and collection

of the respective port and other taxes, fees and dues shall be made on the basis of the measurement certificate's data.

*Article 9.* Each Contracting Party shall recognize the seamen's identity documents issued by the competent authorities of the other Contracting Party.

These identity documents are:

- For the Republic of Cyprus the “passport of the Republic of Cyprus” and the “Cyprus Seaman's Book”;
- For the People's Republic of Bulgaria “The Seaman's Passport”.

*Article 10.* 1. Persons, possessing seamen's identity documents, mentioned in Article 9 of this Agreement, being members of the crew according to Article 2, para. (b) of the same Agreement, shall be allowed to land freely and without visa on the territory of the port town of the other Contracting Party during the stay of the vessel in a port of this Party, provided their names are entered into the vessel's crew list, and in the list submitted to the port authorities by the master.

2. From the moment of their landing on shore till returning on board the vessel, the persons indicated must observe the national laws and regulations in force in that Party. The same persons shall be subject to the established passport and customs control in the port.

3. The master of a vessel of the one Contracting Party, staying at a port of the other Party, or a crew member, authorised by him, may contact and meet the diplomatic or consular representation of the State, under the flag of which the vessel is sailing, provided that he observes the legislation in force in the territory of that Party. Under the same conditions the corresponding diplomatic or consular officers have the right to visit the vessel sailing under the flag of their State.

*Article 11.* 1. Persons, possessing identity documents according to Article 9 of this Agreement, but who are not members of the crew under Article 2 para. (b), shall have the right, if they possess a document certifying the necessity of their boarding or leaving the vessel, to enter the territory of the other Contracting Party, to cross it in transit or leave it, no matter of the kind of transport means used when travelling to a vessel, staying at a port of that Party, or moving to another vessel, or returning to their homeland, or for any other reason recognised as reasonable by the local competent authorities.

2. In all cases mentioned above any formalities required by either Contracting Party shall be treated by its appropriate authorities within the shortest period possible.

*Article 12.* If a member of the crew of a vessel of either Contracting Party, according to Article 2 para. (b) of this Agreement, has to stay in the territory of the other Contracting Party for the purpose of hospitalization, the competent authorities of that Party shall render him the full assistance to this effect, as well as for returning to his homeland after leaving the hospital or to board a vessel sailing under the flag of his own country.

*Article 13.* Any changes made in the crew lists of vessels of the one Contracting Party during their stay in a port of the other Contracting Party shall be immediately communicated to the respective port authorities.

*Article 14.* 1. In case nothing else is provided for in this Agreement, the legislation in force in the territory of each Contracting Party shall be applied to crew members as regards their entry, stay and leaving that territory.

2. The appropriate authorities of each Contracting Party reserve the right to refuse access to their respective territories to persons holding identity documents indicated in Article 9 of this Agreement whom they consider undesirable.

*Article 15.* 1. If a vessel of the one Contracting Party suffers shipwreck, runs aground, is cast ashore or suffers any other accident, within the territory of the other Contracting Party, that vessel, its crew, passengers and cargo on board shall enjoy the same help and assistance as that accorded to the latter Party's own vessels, their crews, passengers and cargo on board.

2. The cargo and property on board, rescued from a vessel that has suffered an accident, shall not be liable to any customs duties and taxes unless they are delivered for use or consumption in the territory of the Contracting Party that has rendered the assistance.

3. Nothing in this Article shall hinder the application of the laws and regulations of the Contracting Parties regarding the handling and temporary storage of goods in their territory, as well as the laying of claims for rescue operations in connection with any help or assistance rendered to a vessel, its crew, passengers and cargo aboard.

*Article 16.* 1. Except at the written request of the master, the diplomatic or the consular officer, the authorities and courts of the one Contracting Party will not be involved in disputes which might arise on vessels flying the flag of the other Contracting Party during the voyage or in ports, between the master, the officers and the ratings included in the crew list, which might be connected with the crew's personal effects, with their wages and generally with the work aboard.

2. The provisions of this Article do not apply to acts or disputes which are detrimental to public order and violate the tranquillity, safety and laws of either Contracting Party.

*Article 17.* All payments between the two Contracting Parties arising from carriage of goods by sea, services rendered, ship-repair operations and others related to merchant shipping, shall be made in free convertible currency according to international currency exchange rules in force in the territory of the Contracting Parties.

*Article 18.* 1. The income and profits realised by shipping enterprises of the one Contracting Party in the territory of the other Contracting Party as a result of carriage of goods by sea shall be exempted from any charges in that territory and shall be freely and immediately remitted according to creditor's instructions.

2. They may be used also for effecting payments in the territory in which they have been realized.

*Article 19.* 1. The Contracting Parties shall render each other all-round assistance for developing the cooperation in the field of merchant shipping between their authorities, shipping enterprises, and organizations concerned with navigation and transportation of goods by sea, set up and operating in the territory of either of them according to their national legislation.

2. For the purpose of efficient implementation of this Agreement and for consideration of any other shipping matters of mutual interest a Joint Commission composed of representatives of the competent authorities of the two Contracting Parties is set up. The Commission may be convened at the request of either Contracting Party.

3. To this effect the competent authorities shall be the Ministry of Communications and Works on the part of the Republic of Cyprus and the Ministry of Transport on the part of the People's Republic of Bulgaria.

*Article 20.* Any alteration of, or amendment to, this Agreement shall be agreed upon by the Contracting Parties and shall come into force on the date of receiving the last notification, through diplomatic channels, on fulfilment of the respective procedures in the two countries.

*Article 21.* Any differences of opinion with regard to interpretation or application of this Agreement shall be settled by direct negotiations between the competent authorities of the Contracting Parties. In case the Contracting Parties are unable to come to an agreement the differences of opinion shall be settled through diplomatic channels.

*Article 22.* 1. This Agreement is concluded for an unlimited period of time and shall enter into force 30 (thirty) days after the receipt of the last notification, through diplomatic channels, on fulfilment of the respective procedures in both countries.

2. This Agreement shall remain in force until one of the Contracting Parties denounces it through diplomatic channels. The denunciation shall be effective 6 (six) months after the date of receipt of the respective notification.

DONE in Sofia on this 19th day of December 1985 in two original copies in the English language, both texts being equally authentic.

For the Government  
of the Republic of Cyprus:

[Signed — Signé]<sup>1</sup>

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

[Signed — Signé]<sup>2</sup>

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<sup>1</sup> Signed by Rois Nicolaidis — Signé par Rois Nicolaidis.

<sup>2</sup> Signed by Vassil Tsanov — Signé par Vassil Tsanov.