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**Cyprus
and
Republic of Korea**

Agreement on maritime transport between the Government of the Republic of Cyprus and the Government of the Republic of Korea. Nicosia, 2 December 2008

Entry into force: *10 July 2009 by notification, in accordance with article 22*

Authentic texts: *English, Greek and Korean*

Registration with the Secretariat of the United Nations: *Cyprus, 18 February 2010*

**Chypre
et
République de Corée**

Accord relatif au transport maritime entre le Gouvernement de la République de Chypre et le Gouvernement de la République de Corée. Nicosie, 2 décembre 2008

Entrée en vigueur : *10 juillet 2009 par notification, conformément à l'article 22*

Textes authentiques : *anglais, grec et coréen*

Enregistrement auprès du Secrétariat des Nations Unies : *Chypre, 18 février 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT ON MARITIME TRANSPORT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF CYPRUS
AND
THE GOVERNMENT OF THE REPUBLIC OF KOREA**

The Government of the Republic of Cyprus and the Government of the Republic of Korea (hereinafter referred to as "the Contracting Parties"),

Conscious of the need to promote maritime transport activities between the two countries;

Desirous of establishing close cooperation in the field of maritime transport on the basis of reciprocity and mutual interest; and

Convinced that the development of maritime transport between the two countries will contribute to the strengthening of their cooperation;

Have agreed as follows:

Article 1

For the purpose of this Agreement:

1. The term "vessel of a Contracting Party" means any commercial vessel registered in the ship registry of one of the Contracting Parties and flying its flag in accordance with the laws and regulations of that Contracting Party,

However, this term does not include:

- (a) warships;
- (b) state vessels owned or used for non-commercial purposes;
- (c) hydrographic, oceanographic and scientific research vessels;
- (d) fishing vessels;
- (e) vessels used for pilotage, towage or sea-rescue within the territorial sea of either Contracting Party;
- (f) nuclear powered vessels; and

- (g) those vessels that do not comply with the laws and regulations of either Contracting Party.

The term "members of the crew" means the master and any other person actually employed for duties on board during the voyage of a vessel whose names are included in its crew list and who hold the identity documents referred to in Article 11 of this Agreement.

3. The term "shipping company of a Contracting Party" means a shipping company which has its domicile in the territory of either Contracting Party and is registered or incorporated under the laws and regulations of that Contracting Party.
4. The term "ports of the Contracting Parties" means seaports, including roadsteads, in the territory of either Contracting Party which are approved and open to international shipping.

Article 2

1. "The competent authorities" responsible for the implementation of this Agreement are;

in the case of the Republic of Cyprus, the Ministry of Communications and Works, and

in the case of the Republic of Korea, the Ministry of Land, Transport and Maritime Affairs.

2. If either of the competent authorities mentioned in paragraph 1 of this Article is changed, the name of the new authority shall be notified to the other Contracting Party through diplomatic channels.

Article 3

The Contracting Parties affirm that they remain devoted to the principle of freedom of maritime transport and the principle of fair competition and that they agree to refrain from any action which might harm the development of international shipping and freedom of navigation.

Article 4

1. The Contracting Parties agree that this Agreement shall not affect their rights and obligations arising from international conventions and agreements relating to maritime matters binding on either Contracting Party or their membership to international organizations, particularly regional economic integration organizations.
2. Unless otherwise provided in this Agreement, the national legislation of each Contracting Party shall be applied.

Article 5

1. Each Contracting Party agrees:
 - (a) to encourage the participation of the shipping companies as well as the vessels of the other Contracting Party in the maritime transport between the ports of the two Contracting Parties and not to prevent such shipping companies and vessels from participating in the maritime transport between its ports and the ports of third countries. The vessels chartered by shipping companies of the other Contracting Party shall be granted the same advantages as if they were flying the flag of that other Contracting Party;
 - (b) to cooperate with the other Contracting Party with a view to eliminating all obstacles which might impede the development of maritime trade between the ports of the two Contracting Parties and which might interfere with the various activities connected with such trade; and
 - (c) to cooperate with the other Contracting Party to ensure the employment, good working conditions and welfare of the seamen of the other Contracting Party employed on its vessels.
2. In conformity with this Article, shipping companies operating in accordance with the laws and regulations of either Contracting Party may agree to operate liner services jointly or separately as well as to conclude agreements with each other on technical and commercial matters related to shipping.
3. The provisions of this Article shall not restrict the right of shipping companies from third countries as well as vessels flying the flag of a third country to participate in the transport of goods within the framework of bilateral trade between the Contracting Parties.

Article 6

In accordance with its laws and regulations, each Contracting Party shall grant the shipping companies of the other Contracting Party the right to establish branch offices or any other forms of representation in its territory. These branch offices or representations shall have the right to act as agents for their principal offices.

Article 7

This Agreement shall not apply to cabotage. Where a vessel of either Contracting Party sails from one port to another in the territory of the other Contracting Party for the purpose of discharging inward cargo and/or disembarking passengers from abroad or loading outward cargo and/or

embarking passengers **destined for foreign** countries, it shall not be regarded as ~~as~~ sabotage.

Article 8

Each Contracting Party shall **take, within** the limits of its laws and regulations, all necessary measures to **facilitate and expedite** maritime transport and to expedite and simplify, as much as possible, all administrative, customs, health and other formalities required in its ports. The provision of this Article shall not prejudice the rights of the Contracting Parties regarding the implementation of customs and health laws and regulations or any other control measures regarding the safety of vessels and ports, protection against marine pollution, safeguard of human lives, carriage of dangerous goods, identification of goods or admission of foreigners.

Article 9

1. Each Contracting Party shall **grant** to vessels of the other Contracting Party the same treatment as it affords to its own vessels engaged in international maritime transport in respect of free access to ports, levying of port dues and taxes, use of ports for loading and unloading cargoes and for embarking and disembarking passengers. This paragraph shall also apply to vessels chartered by shipping companies of the other Contracting Party flying the flag of a third country.
2. The provisions of paragraph 1 of this Article shall not oblige either Contracting Party to extend to the vessels of the other Contracting Party and the vessels chartered by shipping companies of the other Contracting Party flying the flag of a third country, exemptions from compulsory pilotage and towage requirements granted to its own vessels.

Article 10

1. Either Contracting Party shall recognize documents certifying the nationality of vessels, tonnage certificates and any other official vessel documents issued or recognized by the other Contracting Party.
2. The vessels of either Contracting Party holding International Tonnage Certificates shall be exempted from any other measurement requirements in the ports of the other Contracting Party. Port fees shall be calculated on the basis of these certificates.

Article 11

1. The Contracting Parties shall mutually recognize the seafarer's identity documents issued by the relevant authorities of the other Contracting Party.
2. These identity documents shall be in the case of the Republic of Cyprus the "Seafarer's Identification and Sea Service Record Book" and