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**Republic of Korea
and
Israel**

Agreement between the Government of the Republic of Korea and the Government of the State of Israel on maritime transport (with annex). Seoul, 31 August 2004

Entry into force: *27 February 2005 by notification, in accordance with article 18*

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**République de Corée
et
Israël**

Accord entre le Gouvernement de la République de Corée et le Gouvernement de l'État d'Israël sur le transport maritime (avec annexe). Séoul, 31 août 2004

Entrée en vigueur : *27 février 2005 par notification, conformément à l'article 18*

Textes authentiques : *anglais, hébreu et coréen*

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[ENGLISH TEXT – TEXTE ANGLAIS]

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

The Government of the Republic of Korea and the Government of the State of Israel (hereinafter referred to as "the Contracting Parties");

AIMING AT the development of friendly relations existing between the two countries, and the strengthening of co-operation in the field of maritime transport; and

IN ACCORDANCE WITH the principles of equality, reciprocity and mutual benefits;

HAVE agreed as follows:

ARTICLE 1

For the purposes of this Agreement:

1. The term "vessel of a Contracting Party", shall mean any vessel engaged in international maritime transport, registered in a Contracting Party and flying its flag in accordance with the laws and regulations of that Contracting Party. This term shall also include merchant ships registered in third countries, engaged in international maritime transport, owned and/or controlled and operated by shipping enterprises of either Contracting Party, whose flags are acceptable to the other Contracting Party;

However, this term does not include:

- (a) war ships and auxiliary ships of the navy;
- (b) vessels used for non-commercial purposes;
- (c) vessels for hydrographic, oceanographic and scientific research;
- (d) fishing vessels, fishery research and inspection vessels, and fishery factory vessels;
- (e) vessels used for pilotage, towage or sea rescue;
- (f) nuclear propelled vessels; and
- (g) vessels under 24 meters in length.

2. The term "members of the crew" shall mean the master and any other persons actually employed for duties on board during the voyage of a vessel of either Contracting Party, who hold the identity documents referred to in Article 12 of this Agreement, and whose names are included on its crew list.

3. The term "shipping enterprise" shall mean a legal entity which is registered in the territory of either Contracting Party in accordance with its laws and regulations, having its place of actual control and management in the State of that Contracting Party, and/or its subsidiaries as set forth in the Annex of this Agreement, operating vessels engaged in international maritime transport.

4. The term "Competent authority" shall mean:

- (a) for the Republic of Korea, the Ministry of Maritime Affairs and Fisheries;
- (b) for the State of Israel, the Ministry of Transport.

ARTICLE 2

1. Vessels of both Contracting Parties are entitled to participate in maritime transport between the ports of the two Contracting Parties that are open to international shipping, and between those ports and the ports of third countries.

2. The provisions of paragraph 1 of this Article shall not affect the right of vessels of third countries to engage in maritime transport services between the ports of the Contracting Parties.

ARTICLE 3

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 cabotage.

ARTICLE 4

Both Contracting Parties shall encourage their respective maritime authorities, organizations and enterprises to cooperate with those of the other Contracting Party, including but not limited to, in the following aims:

- (a) to satisfy the needs of international maritime transport and make full and effective use of the maritime fleet and ports of both Contracting Parties;
- (b) to ensure maritime safety, including the safety of vessels, members of the crew, cargo, passengers and the environment;
- (c) to enhance the protection of the marine environment;
- (d) to develop maritime trade; and
- (e) to exchange views regarding the activities of the International Maritime Organization and other international maritime organizations.

ARTICLE 5

1. Each Contracting Party shall grant to vessels of the other Contracting Party the same treatment as it accords to its own vessels engaged in international maritime transport in respect of free access to ports, the levying of port dues and taxes, the use of ports for loading and unloading cargos and for embarking and disembarking passengers, the exercising of normal commercial operations, the allocation of berths and piers and the use of services intended for navigation and pilot service.
2. The provisions of paragraph 1 of this Article shall not oblige one Contracting Party to extend to vessels of the other Contracting Party exemptions from compulsory pilotage requirements granted to its own vessels.

ARTICLE 6

Each Contracting Party shall take, within the limits of its laws and regulations, all necessary measures to facilitate and expedite maritime traffic, to prevent unnecessary delays to vessels, and to expedite and simplify as much as possible all administrative, customs, health and other formalities required in its ports. However, this provision shall not be construed as restricting the rights of the Contracting Parties regarding the enforcement of customs and health laws and regulations or any other control measures regarding the safety of vessels and ports, protection against marine pollution, safeguarding of human lives, carriage of dangerous goods, identification of goods and admission of foreigners.