

**No. 54030\***

---

**Republic of Korea  
and  
Ukraine**

**Agreement between the Republic of Korea and the Cabinet of Ministers of Ukraine on merchant shipping (with protocol). Kyiv, 20 October 2005**

**Entry into force:** *2 August 2009, in accordance with article 19*

**Authentic texts:** *English, Korean and Ukrainian*

**Registration with the Secretariat of the United Nations:** *Republic of Korea, 10 November 2016*

*\*No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

---

**République de Corée  
et  
Ukraine**

**Accord entre le Gouvernement de la République de Corée et le Cabinet des Ministres de l'Ukraine relatif à la marine marchande (avec protocole). Kiev, 20 octobre 2005**

**Entrée en vigueur :** *2 août 2009, conformément à l'article 19*

**Textes authentiques :** *anglais, coréen et ukrainien*

**Enregistrement auprès du Secrétariat des Nations Unies :** *République de Corée, 10 novembre 2016*

*\*Aucun numéro de volume n'a encore été attribué à ce dossier. Les textes disponibles qui sont reproduits ci-dessous sont les textes originaux de l'accord ou de l'action tels que soumis pour enregistrement. Par souci de clarté, leurs pages ont été numérotées. Les traductions qui accompagnent ces textes ne sont pas définitives et sont fournies uniquement à titre d'information.*

**AGREEMENT  
BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF KOREA  
AND  
THE CABINET OF MINISTERS OF UKRAINE  
ON MERCHANT SHIPPING**

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

Wishing to promote cooperation in the field of merchant shipping between the two countries on the basis of equality and mutual benefit,

Desiring to contribute to the development of international shipping on the basis of the principle of freedom of navigation,

Have agreed as follows:

#### **ARTICLE 1**

The aim of this Agreement is:

- (a) to organize and develop bilateral cooperative relations between the two countries in the field of merchant shipping;
- (b) to ensure the best navigational coordination;
- (c) to avoid actions causing harm to normal development of maritime activities;
- (d) to enhance maritime safety and prevent maritime pollution;
- (e) to cooperate in the field of ship survey, certification and classification; and
- (f) to promote the development of commercial and economic relations between the two countries.

#### **ARTICLE 2**

For the purpose of this Agreement:

- (a) The term "Competent Authority" means: in the Republic of Korea, the Ministry of Maritime Affairs and Fisheries; in Ukraine, the Ministry of Transport and Communications;
- (b) The term "vessel of a Contracting Party" means any vessel registered in the territory of the state of a Contracting Party and flying its flag in accordance with its laws and regulations. The term shall not, however, include vessels used for military, public, scientific and fishing purposes and other vessels built and used for non-commercial purposes;

- (c) The term "member of the crew" means the master or any person actually employed for duties on board during the voyage in the working or service of a vessel whose name is included in its crew list and who holds the identity document referred to in Article 9.
- (d) The term "shipping company of a Contracting Party" means a shipping company which has its domicile in the territory of the state of that Contracting Party and is recognized as such by the Competent Authority of that Contracting Party.

### **ARTICLE 3**

This Agreement shall apply to the territories, including the internal waters and territorial sea, of the states of both Contracting Parties.

### **ARTICLE 4**

1. The Contracting Parties agree to promote the participation of the vessels of both Contracting Parties in all bilateral merchant shipping.
2. In accordance with its laws and regulations and international agreements and conventions which are in force in both Contracting Parties, the Contracting Party shall ensure shipping companies of the other Contracting Party the participation in services between the ports of the Contracting Parties or between the ports of the states of the Contracting Party and the ports of third countries.
3. The provisions of this Article shall not restrict the right of the vessels of third countries to participate in merchant shipping between the states of the Contracting Parties.

### **ARTICLE 5**

Each Contracting Party shall adopt, within the limits of its laws and regulations, all appropriate measures to facilitate and expedite merchant shipping and to expedite and simplify, as much as possible, the process of customs and other formalities required in ports.

**ARTICLE 6**

1. The Contracting Parties shall maintain the principle of the freedom of merchant shipping and agree to avoid actions causing harm to the activities of their vessels and the normal development of international shipping.

2. 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 voyages in respect of free access to ports open to foreign vessels, levying of port dues and taxes, use of ports for loading and unloading of cargoes and for embarking and disembarking of passengers, exercising of normal commercial operations, and use of services intended for navigation.

3. The provisions of paragraphs 1 and 2 of this Article shall also apply to vessels or the part thereof chartered and/or operated by shipping companies of the other Contracting Party flying the flag of a third country.

4. The provisions of paragraph 2 of this Article shall not oblige either of the Contracting Parties to extend to the vessels of the other Contracting Party exemptions from compulsory pilotage requirements granted to its own vessels.

**ARTICLE 7**

The provisions of this Agreement shall not apply to cabotage. When vessels of one Contracting Party sail from one port to another in the territory of the state of the other Contracting Party for discharging inward cargo and/or disembarking passengers from abroad or loading outward cargo and/or embarking passengers for foreign countries, it shall not be regarded as cabotage.

**ARTICLE 8**

1. The Contracting Parties shall mutually recognize the nationality of vessels on the basis of the certificate of registry duly issued by the Competent Authority of either Contracting Party in compliance with its relevant laws and regulations.