

No. 55926*

**Cyprus
and
Ukraine**

Agreement between the Government of the Republic of Cyprus and the Cabinet of Ministers of Ukraine on maritime merchant shipping. Nicosia, 8 November 2012

Entry into force: *13 January 2016, in accordance with article 20(1)*

Authentic texts: *English, Greek and Ukrainian*

Registration with the Secretariat of the United Nations: *Cyprus, 4 September 2019*

**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.*

**Chypre
et
Ukraine**

Accord entre le Gouvernement de la République de Chypre et le Cabinet des Ministres de l'Ukraine sur la marine marchande. Nicosie, 8 novembre 2012

Entrée en vigueur : *13 janvier 2016, conformément au paragraphe 1 de l'article 20*

Textes authentiques : *anglais, grec et ukrainien*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Chypre, 4 septembre 2019*

**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 CYPRUS AND THE
CABINET OF MINISTERS OF UKRAINE ON MARITIME MERCHANT
SHIPPING**

The Government of the Republic of Cyprus and the Cabinet of Ministers of Ukraine, hereinafter referred to as "the Contracting Parties";

Desiring to strengthen the friendly relations existing between the two countries and to intensify their economic relations;

Aiming to develop and promote cooperation between the Republic of Cyprus and Ukraine in the field of maritime merchant shipping on a mutually advantageous basis;

Have agreed as follows:

**ARTICLE 1
Definitions**

For the purpose of this Agreement:

a) the term "vessel of the Contracting Party" shall mean any merchant vessel registered in the ship register of the state of that Contracting Party and flying the flag of the state of that Contracting Party in accordance with its national legislation.

This definition excludes warships, fishing vessels, vessels for hydrographic, oceanographic and scientific research and other ships destined or used for non-commercial purposes.

b) the term "crew members" shall mean the master or any other person actually employed for duties on board during a voyage in the working or service of a vessel of either Contracting Party and whose names are included in the crew list and holding seamen's identity document, issued or recognized by either Contracting Party;

c) the term "ports of the states of the Contracting Parties" shall mean sea ports, with their infrastructure, including roadsteads and harborage areas in the territory of the state of either Contracting Party which are approved and open to international shipping;

d) the term "shipping company of the Contracting Party" shall mean a legal person registered in accordance with the legislation in force in the territory of that Contracting Party, owning or operating vessels and carrying out transportation of passengers and/or goods and may include a physical person carrying out the same activities;

e) the term "cabotage" shall mean transportation of goods and/or passengers between ports of the state of one Contracting Party.

ARTICLE 2

Application

This Agreement shall apply to the territory of the Republic of Cyprus and to the territory of Ukraine including their territorial seas.

ARTICLE 3

Competent Authorities

1. The matters referring to the implementation of this Agreement will be dealt with by the competent authorities of the Contracting Parties.

These Competent authorities are:

- on the part of the Republic of Cyprus – the Ministry of Communications and Works of the Republic of Cyprus.

- on the part of the Cabinet of Ministers of Ukraine – the Ministry of Infrastructure of Ukraine and concerning the issues of seafarers employment – the Ministry of Social Policy of Ukraine;

2. In case any of the competent authorities mentioned in this article is changed, the name of the new authority will be notified to the other Contracting Party through diplomatic channels.

ARTICLE 4

Cooperation in Transport

1. The Contracting Parties agree:

(a) to encourage participation of the shipping companies as well as the vessels of each Contracting Party in maritime transportation between the ports of the states of both Contracting Parties and not to prevent them from participating in maritime transportation between their ports and the ports of third states; and

(b) to cooperate with a view to eliminating any obstacles which might impede the development of maritime trade between the ports of the states of both Contracting Parties and which might interfere with the various activities connected with such trade.

2. The provisions of this Article shall not affect the right of the shipping companies from third states as well as the vessels flying the flag of third states to participate in the transport of goods and passengers within the framework of the bilateral trade between the Contracting Parties.

ARTICLE 5

Use of income and transfer of revenues

1. The incomes and revenues of shipping companies of either Contracting Party arising out of shipping services rendered in the territory of the other Contracting Party may, in accordance with the national legislation of that other Contracting Party, be used for making payments in the territory of the state of that other Contracting Party or be transferred abroad in freely convertible currencies at the official exchange rate on the day of transfer in accordance with the national legislation of that Contracting Party.

2. Such transfers shall be possible to be effected regularly and without delay and shall be based on official exchange rates for current payments or, where there are no official exchange rates, at the prevailing foreign exchange market rates for current payments. No charges other than normal bank charges shall be applicable to such transfers.

ARTICLE 6

Treatment provided to the vessels in ports

1. Each Contracting Party shall grant to the vessels of the other Contracting Party in its ports and territorial waters under its sovereign jurisdiction, the same treatment as rendered to its own vessels with respect to the collection of port dues and taxes, access to ports, use of port facilities for loading and unloading of cargoes and for embarking and disembarking passengers and carrying out normal commercial operations, using all available relevant services;

2. The provisions of Paragraph 1 of this Article shall not apply to shipping activities legally reserved by each of the Contracting Parties to its own vessels, such as cabotage, rescue operations and towage;

3. The Contracting Parties shall take in accordance with their national legislation all possible measures to reduce the time of stay of vessels in their ports and simplify administrative and other formalities in force in these ports.

ARTICLE 7

Permanent representative offices

Shipping companies operating in the territory of the state of one Contracting Party, shall be entitled to establish functioning representative offices in the territory of the state of the other Contracting Party, in accordance with its national legislation.

ARTICLE 8

Mutual recognition of vessel's documents

1. Each Contracting Party shall recognize the nationality of the vessels of the other Contracting Party, as proved by the documents on board the said vessels issued by the competent authority of the other Contracting Party in accordance with its national legislation;

2. Vessels' documents, including documents relating to the crew members, issued or recognized by one Contracting Party shall be recognized by the other Contracting Party;

3. Vessels of the state of each of the Contracting Parties furnished with tonnage certificates issued in accordance with the International Convention on Tonnage Measurement of Ships, 1969, shall not be subject to re-measurement in the ports of the state of the other Contracting Party.

ARTICLE 9

Recognition of identity documents

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

2. The said identity documents are:

- for the Republic of Cyprus – the “Seafarer’s Identification and Sea Service Record Book” and the Passport issued by the appropriate Cyprus authorities and
- for Ukraine – the Seaman’s Identification Card; and

ARTICLE 10

Temporary shore leave

1. During the time a vessel of one Contracting Party is in a port of the state of the other Contracting Party, each crew member of that vessel shall be permitted temporary shore leave in the territory of the municipality to which the port belongs, as well as in the territories of adjacent municipalities, without visa being required, provided he can show a relevant identity document. However, such leave shall only be permitted if the master has submitted to the appropriate authorities at the port, a crew list on which the crew members appear, in accordance with the regulations in force in that port.

2. When going ashore and returning to the vessel, all the crew members shall be subjected to the relevant control and customs formalities in force in that ports of the states of the Contracting Parties.

ARTICLE 11

Right of entry, transit and stay of crew members in ports

1. Crew members of one Contracting Party holding the appropriate identity documents, have the right regardless of the mode of transport, to enter the territory of the state of the other Contracting Party or pass through that territory in order to join their vessel, to be transferred to another vessel, to return to their country, or to travel for any other purpose, provided that they are in possession of an appropriate visa and any document confirming he/she is to join a specified vessel at a specified port.

2. When a crew member of one Contracting Party, disembarks in a port of the state of the other Contracting Party for reasons of health, purposes of service or other reasons recognized as valid by the appropriate authorities of that other Contracting Party, these authorities shall give the necessary permission in order to enable the crew member to remain in the territory of their state, to receive medical attention or to be hospitalized and to return to his country by any means of transport or to go to another port of embarkation.

3. Any crew member of one Contracting Party shall be granted an entry or transit visa required to enter the territory of the state of the other Contracting Party, provided that relevant authorities of the state of origin or residence, which issued his traveling document guarantees his/her readmission.