



**ΕΠΙΣΗΜΗ ΕΦΗΜΕΡΙΔΑ
ΤΗΣ ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
ΠΑΡΑΡΤΗΜΑ ΕΒΔΟΜΟ
ΔΙΕΘΝΕΙΣ ΣΥΜΦΩΝΙΕΣ**

Αριθμός 4077	Τετάρτη, 10 Ιανουαρίου 2007	1
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Αριθμός 1

Η Συμφωνία μεταξύ της Κυπριακής Δημοκρατίας και της Ρουμανίας για τις Θαλάσσιες Μεταφορές που, σύμφωνα με το Άρθρο 169.1 του Συντάγματος συνομολογήθηκε και υπογράφηκε στις 23 Οκτωβρίου 2006 ύστερα από Απόφαση του Υπουργικού Συμβουλίου με Αρ. 64.473 και ημερομηνία 18 Οκτωβρίου 2006, δημοσιεύεται στην Επίσημη Εφημερίδα της Δημοκρατίας σύμφωνα με τις διατάξεις του Άρθρου 169.3 του Συντάγματος.

AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF CYPRUS

AND

THE GOVERNMENT OF ROMANIA

ON MARITIME TRANSPORT

The Government of the Republic of Cyprus, and the Government of Romania hereinafter referred to as « the Contracting Parties »,

DESIRING to secure harmonious development of maritime transport between their States,

OBSERVING the principle of freedom of international navigation between their States,

CONSIDERING that both Contracting Parties shall render each other the fullest possible assistance for the establishment of bilateral and multilateral relations between their organizations and offices responsible for maritime transport activities,

Have agreed as follows:

ARTICLE 1
Definitions

For the purpose of the present Agreement:

1. "territory of the State of one Contracting Party" means the territory of the Republic of Cyprus and the territory of Romania, respectively, in accordance with their national legislation.
2. "territorial waters of the State of one Contracting Party", for the purposes of this agreement, means the national navigable waters, including the territorial sea and internal waters, under the sovereignty of the Republic of Cyprus and Romania, respectively, in accordance with the national legislation and international regulations.
3. "vessels of the State of one Contracting Party" means the seagoing merchant vessels registered in its shipping register and entitled to fly the flag of its State, or chartered by a maritime transport company, in accordance with its national legislation.
This definition does not include:
 - a) warships and vessels for transport of armed forces;
 - b) vessels exclusively used for armed purpose;
 - c) vessels used for Governmental services;
 - d) research vessels (hydrographic, oceanographic and scientific);
 - e) nuclear vessels;
 - f) fishing vessels;
 - g) pleasure boats with or without mechanical propulsion;
 - h) vessels used for public services;
 - i) vessels used for non-commercial purpose.
4. "maritime transport company" of the State of one Contracting Party means a legal person registered in accordance with the legislation in force in the territory of the State of that Contracting Party, owning or operating vessels.
5. "crew members" means any person, including the master, actually employed in the service of a vessel for duties on board during a voyage and included in the crew list.
6. "passengers" means those persons on board a vessel of the State of either Contracting Party who are not engaged in any capacity on board and whose names are included in the passenger list of the said vessel.
7. "ports of the State of one Contracting Party" means the places in the territory of the State of one Contracting Party open for international shipping for loading, unloading or transshipment of goods and/or passengers, as well as officially authorized mooring places, including roadsteads.

ARTICLE 2
Application

The present Agreement shall be applied to the territories of the Republic of Cyprus and Romania.

ARTICLE 3
Competent authorities

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

These competent authorities are:

- For the Government of the Republic of Cyprus - The Ministry of Communications and Works.
- For the Government of Romania – The Ministry of Transport, Construction and Tourism.

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

ARTICLE 4
Freedom of navigation

1. The Contracting Parties shall render each other every possible assistance for the development of maritime transport between their States and shall refrain from taking any measures that may harm the normal progress of free international navigation.

For this purpose, the Contracting Parties agree as follows:

- a) to encourage the vessels of the State of each Contracting Party to participate in the transportation of goods between the ports of both States, and to cooperate for the elimination of any obstacles that may affect the development of such transportation;
 - b) not to create obstacles for the vessels of the State of either Contracting Party in carrying goods between the ports of their States and ports of third States and to facilitate with every available means the unhindered execution of such carriage.
2. The provisions of paragraph 1 of this Article shall not prejudice the right of vessels flying the flag of third States to participate in the sea trade between the ports of the States of the Contracting Parties and the ports of third States.

ARTICLE 5
Treatment of vessels in ports

1. Each Contracting Party shall grant to the vessels of the State of the other Contracting Party, as well as their cargo, when they are within the territorial waters, of its State the same rights as to its own vessels regarding:

- a) freedom of access to the territorial waters and ports;
- b) use of the ports for loading and unloading of cargo;
- c) embarkation and disembarkation of passengers;
- d) access to pilotage services;
- e) freedom of access to all port services;
- f) port dues and charges.

2. The provisions of paragraph 1 of this Article shall not apply to the activities which, according to the national legislation of the State of each Contracting Party, are reserved for their own maritime transport companies and organizations, such as cabotage, tug services, pilotage, port auxiliary services and salvage operations.

ARTICLE 6

Facilitation of operations in ports

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

ARTICLE 7

Bareboat registration

Vessels of the State of one Contracting Party may be registered under bareboat registration for a specified period of time in the shipping register of the State of the other Contracting Party and fly that State's flag, provided that the vessel is bareboat chartered by a national or by a maritime transport company of the State of the other Contracting Party, registered therein and being qualified to own a vessel flying its State flag. For such registration the approval of the competent authorities of both Contracting Parties is required and any conditions imposed must be complied with. The vessel will not be deleted from the shipping register of the State of one Contracting Party and its registration will remain valid as regards ownership and registered mortgages, but its nationality and the right to fly the flag of its State shall be suspended.

ARTICLE 8

Recognition of vessel status and documents

1. The nationality/registry, tonnage measurement for non convention vessels and other vessel documents, issued or recognized by the competent authority of one Contracting Party, in accordance with the national legislation and international regulations, shall be recognized by the competent authority and other appropriate authorities of the other Contracting Party.
2. Except in the case of sale of a vessel by a court order, the vessels of the State of one Contracting Party cannot be registered in the shipping register of the State of the other Contracting Party, save in the case of a bareboat charter registration, without the presentation of a deletion certificate issued by the competent authority of the first Contracting Party.

ARTICLE 9

Seamen's identity documents

1. The Contracting Parties shall mutually recognize the identity documents issued by their appropriate authorities to the crew members on board the vessels of their States.

These identity documents are:

For the Cypriot side:

The "Seafarer's Identification and Sea Service Record Book" and the passport issued by the appropriate Cypriot authorities, to the nationals of the Republic of Cyprus.

For the Romanian side:

The "Romanian Seaman's Book" and the passport issued by the appropriate Romanian authorities, to the nationals of Romania.

In case any of the identity documents mentioned in this paragraph is replaced or any new identity document is added, the new name will be notified to the other Contracting Party through diplomatic channels.

2. The provisions of Articles 10 and 11 of the present Agreement shall be accordingly applied to any person who is neither a Cypriot nor a Romanian national but holds an identity document corresponding to the provisions of either the Convention on Facilitation of International Maritime Traffic, 1965 as amended, London, 1965 or the Seafarers' Identity Documents Convention, No. 108, Geneva, 1958. Such an identity document must be issued by a State which is party to the relevant convention and guarantees the readmission of the bearer to the country which issued the document.

ARTICLE 10

Right of entry and transit

1. During the time a vessel of the State 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 shore leave in the territory of the municipality where the port is situated as well as in its adjacent territories, without visa being required, provided he can show a relevant identity document as specified in Article 9 of the present Agreement. 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, the crew member in question shall be subject to the control and customs formalities in force in that port.
3. Crew members of a vessel of the State of either Contracting Party, holding identity documents, as specified in Article 9 of the present Agreement, may enter the territory or travel through the territory of the State of the other Contracting Party, in the event of a maritime casualty or other disaster, for the purpose of joining a vessel, repatriation or any other reason accepted by the competent authority of this Contracting Party, after complying with the national laws and regulations of the State of the respective Contracting Party. In such cases, if the national legislation of the State of the respective Contracting Party provides for the issue of visa, the appropriate authorities of this Contracting Party shall issue the visa with the shortest possible delay, in accordance with its legislation.
4. In case the holder of the seaman's identity documents as specified in Article 9 of the present Agreement is not a national of the State of either Contracting Party, any visa that may be required for the purpose referred to in paragraph 2 of this Article in accordance with the national legislation, is to be issued, provided that the return to the country which has issued the seaman's travelling document is guaranteed to the holder.

ARTICLE 11

Exemption from the right of entry

1. Notwithstanding the provisions contained in Articles 9 and 10 of the present Agreement, the national legislation of the State of each Contracting Party regulating the entry, stay and departure in/from the territories of their States, shall prevail.
2. Each Contracting Party reserves its right to refuse entry into the territory of its State by persons holding identity documents, as specified in Article 9 of the present Agreement, if these persons are considered undesirable.

ARTICLE 12

Medical assistance

1. Each Contracting Party shall render the necessary medical assistance to crew members of a vessel of the State of the other Contracting Party, on the basis of its national legislation.
2. The crew members of the vessels of the State of one Contracting Party, who are under medical treatment, will have permission to enter the territory of the State of the other Contracting Party and remain in it, during the treatment period, in accordance with the national laws and regulations of the State of the respective Contracting Party.

ARTICLE 13

Employment of seamen

1. For the safe manning of the vessels of the State of either Contracting Party with qualified personnel, maritime transport companies of the State of one Contracting Party may engage, in accordance with the relevant laws and regulations of its State, qualified nationals of the State of the other Contracting Party. The terms of employment of such nationals on vessels of the State of the other Contracting Party shall be approved by the competent authorities of the seaman's country in consultation, where possible, with the national seamen's unions or associations of employment.
2. Any disputes arising out of the respective contract of employment between a maritime transport company of the State of one Contracting Party and a seaman of the State of the other Contracting Party shall be referred for settlement solely to the exclusive jurisdiction of the competent courts or authorities of either Contracting Party.

ARTICLE 14

Marine casualties

1. If a vessel of the State of one Contracting Party runs aground casts ashore or suffers any other casualty, in the territorial waters of the State of the other Contracting Party, the vessel and its cargo shall receive the same assistance that is granted to the vessels of the State of the other Contracting Party and their cargo. The crew members and passengers on board the vessel of the State of one Contracting Party, which has suffered a casualty, shall be granted at any time the same assistance as accorded to the nationals of the State in whose territorial waters the incident occurred.

2. The cargo articles unloaded or saved from the vessel specified in paragraph 1 of this Article, provided these are not delivered for use or consumption in the territory of the State of the other Contracting Party, shall not be liable to any customs duties.
3. The provisions of paragraph 2 of this Article shall not prevail the national laws and regulations of the States of each Contracting Party concerning the temporary storage of goods.
4. The provisions of this Article shall not affect other claims raised in connection with the salvage and assistance rendered to a damaged vessel, its cargo and other property.
5. The competent authority of one Contracting Party, in whose territorial waters a vessel of the State of the other Contracting Party has suffered a casualty, as described in paragraph 1 of this Article, shall immediately notify of the event the nearest consular representative of the other Contracting Party and conduct an investigation into the cause of the casualty or provide every possible assistance for carrying out such investigation.

ARTICLE 15

Transfer of profits

1. Each Contracting Party shall grant the other Contracting Party the right of transfer, at the official rate of exchange on the day when the transfer is made, of the net profits realized by the maritime transport companies of the State of that other Contracting Party from maritime transport operations, in accordance with the laws and regulations of its State.
2. The profits earned by the maritime transport companies are taxable in accordance with the convention on the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and capital, existing between the Contracting Parties.

ARTICLE 16

Cooperation

1. The Contracting Parties shall encourage the maritime transport companies in their States to establish, under conditions of economic efficiency, regular shipping lines between the ports of their States, to be operated by their vessels, with the aim of developing maritime trade between them.
2. The Contracting Parties shall encourage the use of modern technology in maritime transport.
3. The Contracting Parties agree to render to each other, within the available possibilities, technical assistance in developing merchant fleets, including training of seamen. For this purpose the Contracting Parties shall encourage, support and facilitate cooperation in the field of maritime training between the appropriate training institutions and agencies of their States.

ARTICLE 17

Establishment of representations

Shipping organizations registered, operating and having their registered office in the territory of the State of one Contracting Party and maritime transport companies shall be entitled to establish functioning representations in the territory of the State of the other Contracting Party, in accordance with the national laws and regulations of the latter Contracting Party.

ARTICLE 18

Security and safety measures

1. Each Contracting Party shall take all necessary security measures to ensure the safety of vessels, crew members, cargo and other persons and property on board the vessels of the State of the other Contracting Party, while the vessels are in the ports or territorial waters of its State, in accordance with the national legislation and the relevant international regulations. In particular, these measures shall aim at protecting these vessels against any unlawful acts, which may endanger the safety of the vessel, crew members, cargo and other persons and property on board the vessel, as well as the operations or port services related to the vessels.
2. If either Contracting Party foresees any unlawful act in the ports or territorial waters of its State against a vessel of the State of the other Contracting Party, it shall take immediately all necessary measures to prevent that unlawful act for the protection of the vessel, its crew members, cargo and other persons and property on board this vessel.
3. In the event of an unlawful act taking place in the port or territorial waters of the State of one Contracting Party, that Contracting Party shall immediately take all necessary measures according to the national legislation of its State to suppress that action. This Contracting Party shall immediately inform the consular office or diplomatic mission of the State of the other Contracting Party of that unlawful act and of the actions taken.

ARTICLE 19

Protection of the marine environment

The competent authorities of the Contracting Parties shall urge crew members of vessels of their States to take all necessary measures to prevent marine pollution within the territorial waters of the States of either Contracting Party.

ARTICLE 20

Navigation in the Danube

In respect of navigation in the maritime Danube, the provisions of the present Agreement shall apply, taking into account the legal regime of the navigation on the Danube, regulated by the Convention on the Navigation Regime on the Danube, Belgrade 1948, and by the Convention on the Protection and the Sustainable Use of the Danube River, Sofia 1994.

ARTICLE 21

Obligations under international agreements

1. In other matters not covered by the present Agreement the national legislation of the States of the Contracting Parties shall apply.

2. The provisions of the present Agreement do not affect the rights and obligations of the Contracting Parties arising out of the international maritime conventions binding on both Contracting Parties and their membership to international organizations, particularly regional economic integration organizations.

ARTICLE 22

Joint Maritime Committee

1. The Contracting Parties shall establish a Joint Maritime Committee in order to:
 - a) discuss problems concerning the application and the implementation of the provisions of the present Agreement;
 - b) exchange views on matters of mutual interest concerning maritime transport;
 - c) facilitate the development of seaborne trade between their States.
 - d) carry out joint studies on the introduction of new services in the field of maritime transport.
2. The Joint Maritime Committee is composed of representatives of each Contracting Party designated by their competent authorities. When necessary, the Joint Maritime Committee may invite experts of each Contracting Party to participate in discussions.
3. The Joint Maritime Committee shall meet, at the request of the competent authority of either Contracting Party, alternately in the territories of the States of the Contracting Parties.
4. On the occasion of its first assembly, the Joint Maritime Committee shall draw up and agree on its own rules and activities.

ARTICLE 23

Settlement of differences

1. Any differences in the interpretation or application of the present Agreement shall be settled by direct negotiations within the framework of the Joint Maritime Committee.
2. In case the Joint Maritime Committee fails to reach an agreement, the differences will be settled through diplomatic channels.

ARTICLE 24

Entry into force and validity

1. The present Agreement shall enter into force thirty days after the date of receipt of the last notification whereby the Contracting Parties inform each other of the fulfillment of their national constitutional/legal procedures regarding its entry into force.
2. The present Agreement shall remain in force for an indefinite period. It may be denounced at any time by either Contracting Party notifying the other in writing through diplomatic channels. In such case the denunciation shall be effective six months after the date of receipt of such notification.

ARTICLE 25
Amendments

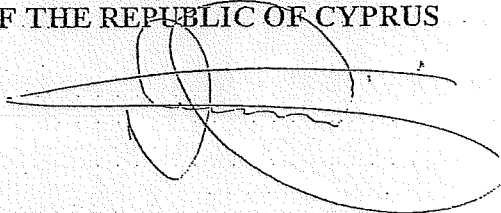
The present Agreement may be amended by mutual consent of the Contracting Parties. Any amendments thereto shall enter into force after completion of the procedures stipulated in Article 24.

ARTICLE 26
Termination of the previous Agreement

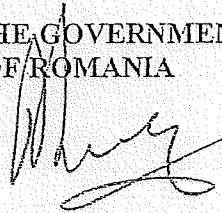
On the date of entry into force of the present Agreement, the Agreement between the Government of the Republic of Cyprus and the Government of the Socialist Republic of Romania on Maritime Navigation, signed in Nicosia on 25 October 1981, shall cease to be in force.

Done in Nicosia on this^{23rd}..... Day of October 2006, in two originals, each of them in the Greek, Romanian and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail

FOR THE GOVERNMENT
OF THE REPUBLIC OF CYPRUS



FOR THE GOVERNMENT
OF ROMANIA



ΣΥΜΦΩΝΙΑ
ΜΕΤΑΞΥ
ΤΗΣ ΚΥΒΕΡΝΗΣΗΣ ΤΗΣ ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
ΚΑΙ
ΤΗΣ ΚΥΒΕΡΝΗΣΗΣ ΤΗΣ ΡΟΥΜΑΝΙΑΣ
ΓΙΑ ΤΙΣ ΘΑΛΑΣΣΙΕΣ ΜΕΤΑΦΟΡΕΣ

Η Κυβέρνηση της Κυπριακής Δημοκρατίας και η Κυβέρνηση της Ρουμανίας, που στο εξής θα ονομάζονται «τα Συμβαλλόμενα Μέρη»,

Επιθυμώντας να διασφαλίσουν την αρμονική ανάπτυξη των θαλάσσιων μεταφορών μεταξύ των Κρατών τους,

Τηρώντας την αρχή της ελευθερίας της διεθνούς ναυσιπλοΐας μεταξύ των Κρατών τους,

Θεωρώντας ότι και τα δύο Συμβαλλόμενα Μέρη θα παρέχουν το ένα στο άλλο όσο το δυνατό μεγαλύτερη βοήθεια για τη δημιουργία διμερών και πολυμερών σχέσεων μεταξύ των οργανισμών και των γραφείων τους που είναι υπεύθυνα για δραστηριότητες θαλάσσιων μεταφορών.

Έχουν συμφωνήσει ως ακολούθως:

ΑΡΘΡΟ 1

Ορισμοί

Για τους σκοπούς της παρούσας Συμφωνίας:

1. «επικράτεια του Κράτους του ενός Συμβαλλόμενου Μέρους» σημαίνει την επικράτεια της Κυπριακής Δημοκρατίας και την επικράτεια της Ρουμανίας, αντίστοιχα, σύμφωνα με την εθνική νομοθεσία τους.
2. «χωρικά ύδατα Κράτους του ενός Συμβαλλόμενου Μέρους» για τους σκοπούς της παρούσας συμφωνίας, σημαίνει τα εθνικά ύδατα ναυσιπλοΐας, συμπεριλαμβανομένων των χωρικών υδάτων και εσωτερικών υδάτων, τα οποία είναι κάτω από την κυριαρχία της Κυπριακής Δημοκρατίας και της Ρουμανίας αντίστοιχα, σύμφωνα με την εθνική νομοθεσία και τους διεθνείς κανονισμούς.
3. «πλοία Κράτους του ενός Συμβαλλόμενου Μέρους» σημαίνει τα θαλασσοπλοούντα εμπορικά πλοία που είναι εγγεγραμμένα στο νηολόγιο του και δικαιούνται να υψώνουν τη σημαία του Κράτους του, ή που

έχουν ναυλωθεί από εταιρεία θαλάσσιων μεταφορών, σύμφωνα με την εθνική νομοθεσία του.

Ο ορισμός αυτός δεν περιλαμβάνει:

- (α) πολεμικά πλοία και πλοία για μεταφορά των ενόπλων δυνάμεων·
 - (β) πλοία που χρησιμοποιούνται αποκλειστικά για στρατιωτικούς σκοπούς·
 - (γ) πλοία που χρησιμοποιούνται για Κρατικές υπηρεσίες·
 - (δ) ερευνητικά πλοία (υδρογραφικά, ωκεανογραφικά και επιστημονικά)·
 - (ε) πυρηνοκίνητα πλοία·
 - (στ) αλιευτικά πλοία·
 - (η) σκάφη αναψυχής με ή χωρίς μηχανική πρόωση·
 - (θ) πλοία που χρησιμοποιούνται για δημόσιες υπηρεσίες·
 - (ι) πλοία που χρησιμοποιούνται για μη εμπορικούς σκοπούς.
4. «εταιρεία θαλάσσιων μεταφορών» Κράτους του ενός Συμβαλλόμενου Μέρους σημαίνει νομικό πρόσωπο το οποίο είναι εγγεγραμμένο σύμφωνα με την νομοθεσία που ισχύει στην επικράτεια του Κράτους αυτού του Συμβαλλόμενου Μέρους, το οποίο έχει στην ιδιοκτησία του ή διαχειρίζεται πλοία.
 5. «μέλη του πληρώματος» σημαίνει οποιοδήποτε πρόσωπο, συμπεριλαμβανομένου του πλοιάρχου, το οποίο πράγματι εργοδοτείται για υπηρεσία σε πλοίο για άσκηση καθηκόντων πάνω στο πλοίο κατά τη διάρκεια ταξιδιού και περιλαμβάνεται στον κατάλογο πληρώματος.
 6. «επιβάτες» σημαίνει αυτά τα πρόσωπα πάνω σε πλοίο Κράτους είτε του ενός ή του άλλου Συμβαλλόμενου Μέρους τα οποία δεν απασχολούνται για οποιοδήποτε σκοπό πάνω στο πλοίο, τα ονόματα των οποίων περιλαμβάνονται στον κατάλογο επιβατών του εν λόγω πλοίου.
 7. «λιμάνια Κράτους του ενός Συμβαλλόμενου Μέρους» σημαίνει τα μέρη στην επικράτεια του Κράτους του ενός Συμβαλλόμενου Μέρους τα οποία είναι ανοικτά στη διεθνή ναυτιλία για φόρτωση, εκφόρτωση ή μεταφόρτωση εμπορευμάτων και/ή επιβατών, καθώς επίσης και τα επίσημα αναγνωρισμένα σημεία πρόσδεσης, συμπεριλαμβανομένων των αγκυροβολίων.

ΑΡΘΡΟ 2

Εφαρμογή

Η παρούσα Συμφωνία θα εφαρμόζεται στις επικράτειες της Κυπριακής Δημοκρατίας και της Ρουμανίας.

ΑΡΘΡΟ 3

Αρμόδιες αρχές

Τα θέματα που αναφέρονται στην εφαρμογή της παρούσας Συμφωνίας θα τυγχάνουν χειρισμού από τις αρμόδιες αρχές των Συμβαλλόμενων Μερών.

Αυτές οι αρμόδιες αρχές είναι:

- Για την Κυβέρνηση της Κυπριακής Δημοκρατίας - το Υπουργείο Συγκοινωνιών και Έργων
- Για την Κυβέρνηση της Ρουμανίας - το Υπουργείο Μεταφορών, Κατασκευών και Τουρισμού

Σε περίπτωση που οποιαδήποτε από τις αρμόδιες αρχές που αναφέρονται σε αυτή την παράγραφο αλλάξει, το όνομα της νέας αρχής θα γνωστοποιείται στο άλλο Συμβαλλόμενο Μέρος μέσω της διπλωματικής οδού.

ΑΡΘΡΟ 4

Ελευθερία της ναυσιπλοΐας

1. Τα Συμβαλλόμενα Μέρη θα παρέχουν το ένα στο άλλο κάθε δυνατή βοήθεια για την ανάπτυξη των θαλάσσιων μεταφορών μεταξύ των Κρατών τους και θα απέχουν από οποιοσδήποτε ενέργειες που ενδεχομένως να βλάψουν την κανονική ανάπτυξη της ελεύθερης διεθνούς ναυσιπλοΐας.

Για τον σκοπό αυτό, τα Συμβαλλόμενα Μέρη συμφωνούν ως ακολούθως:

- α) να ενθαρρύνουν τη συμμετοχή των πλοίων του Κράτους του κάθε Συμβαλλόμενου Μέρους στη μεταφορά αγαθών μεταξύ των λιμανιών και των δύο Κρατών, και να συνεργάζονται για την εξάλειψη οποιωνδήποτε εμποδίων που δυνατό να επηρεάσουν την ανάπτυξη τέτοιας μεταφοράς
- β) να μη δημιουργούν εμπόδια στα πλοία του Κράτους είτε του ενός ή του άλλου Συμβαλλόμενου Μέρους στη μεταφορά αγαθών μεταξύ των λιμανιών των Κρατών τους και λιμανιών τρίτων Κρατών και να διευκολύνουν με κάθε διαθέσιμο μέσο την απρόσκοπτη εκμετάλλευση τέτοιων μεταφορών.

2. Οι πρόνοιες της παραγράφου 1 αυτού του Άρθρου δε θα επηρεάζουν το δικαίωμα των πλοίων που υψώνουν τη σημαία τρίτων Κρατών να συμμετέχουν στο θαλάσσιο εμπόριο μεταξύ των λιμανιών των Κρατών των Συμβαλλόμενων Μερών και των λιμανιών τρίτων Κρατών.

ΑΡΘΡΟ 5

Μεταχείριση πλοίων στα λιμάνια

1. Κάθε Συμβαλλόμενο Μέρος θα παρέχει στα πλοία του Κράτους του άλλου Συμβαλλόμενου Μέρους, ως επίσης και στα φορτία τους, όταν αυτά βρίσκονται εντός των χωρικών υδάτων του Κράτους του, τα ίδια δικαιώματα που παρέχει στα δικά του πλοία αναφορικά με:

- (α) την ελευθερία της εισόδου στα χωρικά ύδατα και στα λιμάνια·
 - (β) τη χρήση των λιμανιών για φόρτωση και εκφόρτωση φορτίων·
 - (γ) την επιβίβαση και αποβίβαση επιβατών·
 - (δ) τη πρόσβαση στις υπηρεσίες πλοήγησης·
 - (ε) την ελευθερία πρόσβασης σε όλες τις λιμενικές υπηρεσίες·
 - (στ) λιμενικά τέλη και χρεώσεις.
2. Οι πρόνοιες της παραγράφου 1 του Άρθρου αυτού δε θα εφαρμόζονται σε δραστηριότητες οι οποίες, σύμφωνα με την εθνική νομοθεσία του Κράτους του κάθε Συμβαλλόμενου Μέρους, διαφυλάσσονται για τις δικές τους εταιρείες και οργανισμούς θαλάσσιων μεταφορών, όπως είναι η ακτοπλοΐα, οι υπηρεσίες ρυμούλκησης, η πλοήγηση, οι βοηθητικές λιμενικές υπηρεσίες και οι επιχειρήσεις ναυαγιάιρησης.

ΑΡΘΡΟ 6

Διευκολύνσεις στα λιμάνια

Τα Συμβαλλόμενα Μέρη θα υιοθετήσουν, μέσα στα πλαίσια των αντίστοιχων εθνικών νόμων και κανονισμών τους, όλα τα κατάλληλα μέτρα για τη μείωση άσκοπων καθυστερήσεων των πλοίων στα λιμάνια των Κρατών τους και την, όσο το δυνατό, απλούστευση της διεκπεραίωσης των διοικητικών, τελωνειακών και υγειονομικών διαδικασιών που εφαρμόζονται σε αυτά τα λιμάνια.

ΑΡΘΡΟ 7

Γυμνή Ναύλωση Πλοίων

Πλοία Κράτους του ενός Συμβαλλόμενου Μέρους μπορούν να νηολογηθούν γυμνά για συγκεκριμένη χρονική περίοδο στο νηολόγιο πλοίων του Κράτους του άλλου Συμβαλλόμενου Μέρους και να υψώνουν τη σημαία αυτού του Κράτους, νοουμένου ότι το πλοίο είναι ναυλωμένο γυμνό από υπήκοο ή από εταιρεία θαλάσσιας μεταφοράς του Κράτους του άλλου Συμβαλλόμενου Μέρους, που είναι εγγεγραμμένη σε αυτό και νομιμοποιείται να έχει υπό την ιδιοκτησία της πλοίο που υψώνει τη σημαία του Κράτους αυτού. Για τέτοια νηολόγηση απαιτείται η έγκριση των αρμόδιων αρχών και των δύο Συμβαλλόμενων Μερών και οποιοδήποτε όροι επιβάλλονται πρέπει να τηρούνται. Το πλοίο δε θα διαγράφεται από το νηολόγιο πλοίων του Κράτους του ενός Συμβαλλόμενου Μέρους και η νηολόγηση του θα παραμένει σε ισχύ όσον αφορά την ιδιοκτησία και τις εγγεγραμμένες υποθήκες, αλλά η εθνικότητα και το δικαίωμα να υψώνει τη σημαία αυτού του Κράτους θα αναστέλλεται.

ΑΡΘΡΟ 8

Αναγνώριση του καθεστώτος των πλοίων και των εγγράφων

1. Η εθνικότητα/νηολόγηση, καταμέτρηση χωρητικότητας για μη συμβατικά πλοία και άλλα έγγραφα πλοίων, τα οποία εκδόθηκαν ή αναγνωρίστηκαν από την αρμόδια αρχή του ενός Συμβαλλόμενου Μέρους, σύμφωνα με την εθνική νομοθεσία και τους διεθνείς κανονισμούς, θα αναγνωρίζονται από την αρμόδια αρχή και άλλες κατάλληλες αρχές του άλλου Συμβαλλόμενου Μέρους.
2. Εκτός από την περίπτωση της πώλησης ενός πλοίου δυνάμει διατάγματος δικαστηρίου, πλοία Κράτους του ενός Συμβαλλόμενου Μέρους δεν μπορούν να εγγραφούν στο νηολόγιο του Κράτους του άλλου Συμβαλλόμενου Μέρους, με εξαίρεση την περίπτωση της νηολόγησης γυμνής ναύλωσης, χωρίς τη παρουσίαση του πιστοποιητικού διαγραφής που εκδόθηκε από την αρμόδια αρχή του πρώτου Συμβαλλόμενου Μέρους.

ΑΡΘΡΟ 9

Έγγραφα Ταυτότητας Ναυτικών

1. Τα Συμβαλλόμενα Μέρη θα αναγνωρίζουν αμοιβαίως τα έγγραφα ταυτότητας που εκδίδονται από τις αρμόδιες αρχές τους σε μέλη του πληρώματος πάνω στα πλοία των Κρατών τους.

Αυτά τα έγγραφα ταυτότητας είναι:

Για την Κυπριακή πλευρά:

Το «Βιβλιάριο Ταυτότητας και Θαλάσσιας Υπηρεσίας Ναυτικού» και το διαβατήριο που εκδίδονται από τις αρμόδιες Κυπριακές αρχές, στους υπηκόους της Κυπριακής Δημοκρατίας.

Για τη Ρουμανική πλευρά:

Το «Ναυτικό Φυλλάδιο της Ρουμανίας» και το διαβατήριο που εκδίδονται από τις αρμόδιες αρχές της Ρουμανίας, στους υπηκόους της Ρουμανίας.

Σε περίπτωση που οποιαδήποτε από τα έγγραφα ταυτότητας που αναφέρονται σε αυτή την παράγραφο αντικατασταθεί ή προστεθεί οποιοδήποτε νέο έγγραφο ταυτότητας, το καινούργιο όνομα θα γνωστοποιείται στο άλλο Συμβαλλόμενο Μέρος μέσω της διπλωματικής οδού.

2. Οι πρόνοιες των Άρθρων 10 και 11 της παρούσας Συμφωνίας θα εφαρμόζονται ανάλογα σε οποιοδήποτε πρόσωπο που δεν είναι Κύπριος ή Ρουμάνος υπήκοος αλλά κατέχει έγγραφο ταυτότητας ναυτικού σύμφωνα με τις πρόνοιες είτε της Σύμβασης για τη Διευκόλυνση της Διεθνούς Ναυτιλιακής Κίνησης, 1965, όπως έχει τροποποιηθεί, Λονδίνο 1965, ή της Σύμβασης που αφορά τα Έγγραφα Ταυτότητας των Ναυτικών, Αρ. 108, Γενεύη 1958. Τέτοιο έγγραφο ταυτότητας πρέπει να εκδοθεί από Κράτος που

είναι μέλος της σχετικής σύμβασης και εγγυάται την επάνοδο του δικαιούχου στη χώρα η οποία εξέδωσε το έγγραφο.

ΑΡΘΡΟ 10

Δικαίωμα εισόδου και διέλευσης

1. Κατά τη διάρκεια της παραμονής πλοίου Κράτους του ενός Συμβαλλόμενου Μέρους στο λιμάνι Κράτους του άλλου Συμβαλλόμενου Μέρους, θα επιτρέπεται σε κάθε μέλος του πληρώματος εκείνου του πλοίου να παραμείνει με άδεια στην ξηρά, χωρίς θεώρηση, στην επικράτεια της περιοχής όπου βρίσκεται το λιμάνι, καθώς επίσης και στις γειτνιάζουσες επικράτειες, νοουμένου ότι αυτός μπορεί να επιδείξει σχετικό έγγραφο ταυτότητας όπως καθορίζεται στο Άρθρο 9 της παρούσας Συμφωνίας. Τέτοια άδεια όμως θα επιτρέπεται μόνο αν ο πλοίαρχος έχει υποβάλει στις αρμόδιες αρχές του λιμανιού κατάλογο πληρώματος που περιέχει τα ονόματα των μελών του πληρώματος, σύμφωνα με τους κανονισμούς που ισχύουν στο λιμάνι αυτό.
2. Κατά την αποβίβαση στην ξηρά και επιστροφή στο πλοίο, το εν λόγω μέλος του πληρώματος θα υπόκειται στις συνοριακές και τελωνειακές διατυπώσεις που ισχύουν στο λιμάνι εκείνο.
3. Μέλη του πληρώματος πλοίου του Κράτους είτε του ενός ή του άλλου Συμβαλλόμενου Μέρους, οι οποίοι κατέχουν έγγραφα ταυτότητας, όπως αυτά καθορίζονται στο Άρθρο 9 της παρούσας Συμφωνίας, επιτρέπεται να εισέρχονται στην επικράτεια ή να διασχίζουν την επικράτεια του Κράτους του άλλου Συμβαλλόμενου Μέρους, σε περίπτωση ναυτικού ατυχήματος ή άλλης καταστροφής, για να επιβιβαστούν σε πλοίο, για επαναπατρισμό ή για οποιοδήποτε άλλο λόγο, που είναι αποδεκτός από την αρμόδια αρχή αυτού του Συμβαλλόμενου Μέρους, αφού συμμορφωθούν με τους εθνικούς νόμους και κανονισμούς του Κράτους του αντίστοιχου Συμβαλλόμενου Μέρους. Σε τέτοιες περιπτώσεις, αν η εθνική νομοθεσία του Κράτους του αντίστοιχου Συμβαλλόμενου Μέρους, προβλέπει την έκδοση θεώρησης, οι αρμόδιες αρχές του Συμβαλλόμενου Μέρους θα εκδώσουν τη θεώρηση με την όσο το δυνατό λιγότερη καθυστέρηση, σύμφωνα με τη νομοθεσία του.
4. Σε περίπτωση που ο κάτοχος των εγγράφων ταυτότητας ναυτικών που καθορίζονται στο Άρθρο 9 της παρούσας Συμφωνίας δεν είναι υπήκοος Κράτους του ενός ή του άλλου Συμβαλλόμενου Μέρους, οποιαδήποτε θεώρηση που δυνατό να απαιτείται για το σκοπό που αναφέρεται στη παράγραφο 2 αυτού του Αρθρου σύμφωνα με την εθνική νομοθεσία, θα χορηγείται, νοουμένου ότι η επιστροφή στη χώρα που έχει εκδώσει το έγγραφο ταυτότητας ναυτικού είναι εγγυημένη για τον κάτοχο.

ΑΡΘΡΟ 11

Εξαίρεση από το δικαίωμα εισόδου

1. Ανεξάρτητα από τις πρόνοιες που περιέχονται στα Άρθρα 9 και 10 της παρούσας Συμφωνίας, θα υπερισχύει η εθνική νομοθεσία του Κράτους του

καθ' ενός από τα Συμβαλλόμενα Μέρη που ρυθμίζει την είσοδο, παραμονή και αναχώρηση από/ προς τις επικράτειες των Κρατών τους.

2. Καθένα από τα Συμβαλλόμενα Μέρη διατηρεί το δικαίωμα άρνησης εισόδου στην επικράτεια του Κράτους του σε πρόσωπα που κατέχουν τα έγγραφα ταυτότητας τα οποία καθορίζονται στο Άρθρο 9 της παρούσας Συμφωνίας, αν θεωρεί τα πρόσωπα αυτά ανεπιθύμητα.

ΑΡΘΡΟ 12

Ιατρική βοήθεια

1. Κάθε Συμβαλλόμενο Μέρος θα παρέχει την απαραίτητη ιατρική βοήθεια σε μέλη του πληρώματος πλοίου Κράτους του άλλου Συμβαλλόμενου Μέρους, βάσει της εθνικής του νομοθεσίας.
2. Επιτρέπεται στα μέλη του πληρώματος πλοίων Κράτους του ενός Συμβαλλόμενου Μέρους, τα οποία υπόκεινται σε ιατρική περίθαλψη να εισέρχονται στην επικράτεια του Κράτους του άλλου Συμβαλλόμενου Μέρους και να παραμείνουν σε αυτή, κατά τη διάρκεια της περιόδου περίθαλψης, σύμφωνα με τους εθνικούς νόμους και κανονισμούς του Κράτους του αντίστοιχου Συμβαλλόμενου Μέρους.

ΑΡΘΡΟ 13

Εργοδότηση Ναυτικών

1. Για την ασφαλή επάνδρωση των πλοίων του Κράτους είτε του ενός ή του άλλου Συμβαλλόμενου Μέρους, με προσοντούχο προσωπικό, οι εταιρείες θαλάσσιων μεταφορών Κράτους του ενός Συμβαλλόμενου Μέρους, μπορούν να προσλάβουν, σύμφωνα με τους σχετικούς νόμους και κανονισμούς αυτού του Κράτους, προσοντούχους υπηκόους του Κράτους του άλλου Συμβαλλόμενου Μέρους. Οι όροι εργοδότησης τέτοιων υπηκόων στα πλοία του Κράτους του άλλου Συμβαλλόμενου Μέρους θα εγκρίνονται από τις αρμόδιες αρχές της χώρας του ναυτικού, σε συνεννόηση, όπου αυτό είναι εφικτό, με τις εθνικές ενώσεις ναυτικών ή συνδέσμους εργοδότησης.
2. Οποιοσδήποτε διαφορές αναφύονται από το αντίστοιχο συμβόλαιο εργοδότησης μεταξύ εταιρείας θαλάσσιων μεταφορών του Κράτους του ενός Συμβαλλόμενου Μέρους και ναυτικού του Κράτους του άλλου Συμβαλλόμενου Μέρους θα παραπέμπεται για επίλυση μόνο στην αποκλειστική δικαιοδοσία των αρμόδιων δικαστηρίων ή αρχών είτε του ενός ή του άλλου Συμβαλλόμενου Μέρους.

ΑΡΘΡΟ 14

Ναυτικά ατυχήματα

1. Αν πλοίο του Κράτους ενός Συμβαλλόμενου Μέρους προσαράξει, εξοικείλει ή υποστεί οποιοδήποτε άλλο ατύχημα στα χωρικά ύδατα του Κράτους του

άλλου Συμβαλλόμενου Μέρους, το πλοίο και το φορτίο του θα τυγχάνουν της ίδιας αρωγής που χορηγείται σε πλοία του Κράτους του άλλου Συμβαλλόμενου Μέρους και στα φορτία τους.

Στα μέλη του πληρώματος και στους επιβάτες πλοίου του Κράτους του ενός Συμβαλλόμενου Μέρους, το οποίο έχει υποστεί ατύχημα, θα χορηγείται βοήθεια στην ίδια έκταση όπως παρέχεται στους υπηκόους του Κράτους στα χωρικά ύδατα του οποίου έχει συμβεί το ατύχημα.

2. Τα αντικείμενα του φορτίου που έχουν ξεφορτωθεί ή διασωθεί από το πλοίο που καθορίζεται στην παράγραφο 1 αυτού του Άρθρου, δεν υπόκεινται σε τελωνειακούς δασμούς, νοουμένου ότι δεν παραδίνονται για χρήση ή κατανάλωση στην επικράτεια του Κράτους του άλλου Συμβαλλόμενου Μέρους.
3. Οι πρόνοιες της παραγράφου 2 αυτού του Άρθρου δε θα υπερισχύουν των εθνικών νόμων και κανονισμών των Κρατών του κάθε Συμβαλλόμενου Μέρους αναφορικά με την προσωρινή αποθήκευση των εμπορευμάτων.
4. Οι πρόνοιες του Άρθρου αυτού δε θα επηρεάσουν οποιεσδήποτε άλλες απαιτήσεις που εγείρονται σε σχέση με διάσωση και αρωγή που δίνεται σε πλοίο που έχει υποστεί ζημιά, το φορτίο του και άλλη περιουσία.
5. Η αρμόδια αρχή του ενός Συμβαλλόμενου Μέρους, στα χωρικά ύδατα του οποίου πλοίο του Κράτους του άλλου Συμβαλλόμενου Μέρους έχει υποστεί ατύχημα, όπως περιγράφεται στην παράγραφο 1 του Άρθρου αυτού, θα ειδοποιεί αμέσως τον πλησιέστερο προξενικό αντιπρόσωπο του άλλου Συμβαλλόμενου Μέρους για το συμβάν και θα διεξάγει έρευνα για τα αίτια του ατυχήματος ή θα παρέχει κάθε δυνατή βοήθεια για τη διεξαγωγή τέτοιας έρευνας.

ΑΡΘΡΟ 15

Μεταφορά κερδών

1. Κάθε Συμβαλλόμενο Μέρος θα παρέχει στο άλλο Συμβαλλόμενο Μέρος το δικαίωμα να μεταφέρει, στην επίσημη τιμή συναλλάγματος που ισχύει την ημέρα που έγινε η μεταφορά, τα καθαρά κέρδη που αποκομίζουν οι εταιρείες θαλάσσιων μεταφορών του Κράτους του άλλου Συμβαλλόμενου Μέρους από επιχειρήσεις θαλάσσιων μεταφορών, σύμφωνα με τους νόμους και κανονισμούς του Κράτους του.
2. Τα κέρδη που αποκομίζουν οι εταιρείες θαλάσσιων μεταφορών φορολογούνται σύμφωνα με τη σύμβαση για αποφυγή διπλής φορολογίας και αποτροπή δημοσιονομικών διαφυγών αναφορικά με φόρους σε εισόδημα και κεφάλαιο, που υφίσταται μεταξύ των Συμβαλλόμενων Μερών.

ΑΡΘΡΟ 16

Συνεργασία

1. Τα Συμβαλλόμενα Μέρη θα ενθαρρύνουν τις εταιρείες θαλάσσιων μεταφορών στα Κράτη τους, να εκτελούν ανάλογα με την οικονομική ικανότητα, τακτικές ναυτιλιακές γραμμές μεταξύ των λιμανιών των Κρατών τους, που θα εκτελούν τα πλοία τους, με σκοπό την ανάπτυξη του θαλάσσιου εμπορίου μεταξύ τους.
2. Τα Συμβαλλόμενα Μέρη θα ενθαρρύνουν τη χρήση μοντέρνας τεχνολογίας στις θαλάσσιες μεταφορές.
3. Τα Συμβαλλόμενα Μέρη συμφωνούν να παρέχουν το ένα στο άλλο, μέσα στα πλαίσια των προσφερόμενων δυνατοτήτων, τεχνική βοήθεια για την ανάπτυξη των εμπορικών στόλων, συμπεριλαμβανομένης και της εκπαίδευσης ναυτικών. Για το σκοπό αυτό τα Συμβαλλόμενα Μέρη θα ενθαρρύνουν, υποστηρίζουν και διευκολύνουν τη συνεργασία στον τομέα της ναυτικής εκπαίδευσης μεταξύ των κατάλληλων εκπαιδευτικών οργανισμών και αντιπροσωπειών των Κρατών τους.

ΑΡΘΡΟ 17

Εγκαθίδρυση αντιπροσωπειών

Ναυτιλιακοί οργανισμοί που έχουν συσταθεί, λειτουργούν και έχουν το εγγεγραμμένο γραφείο τους στην επικράτεια του ενός Συμβαλλόμενου Μέρους και εταιρείες θαλάσσιων μεταφορών, δικαιούνται να εγκαθιδρύουν αντιπροσωπείες που λειτουργούν στην επικράτεια του Κράτους του άλλου Συμβαλλόμενου Μέρους, σύμφωνα με τους εθνικούς νόμους και κανονισμούς του τελευταίου Συμβαλλόμενου Μέρους.

ΑΡΘΡΟ 18

Μέτρα ασφάλειας

1. Κάθε Συμβαλλόμενο Μέρος θα λαμβάνει όλα τα απαραίτητα μέτρα ασφάλειας για να διαφυλάσσει την ασφάλεια των πλοίων, των μελών του πληρώματος, του φορτίου και των άλλων προσώπων και της παρουσίας πάνω στα πλοία του Κράτους του άλλου Συμβαλλόμενου Μέρους, κατά τη διάρκεια της παραμονής των πλοίων στα λιμάνια ή στα χωρικά ύδατα του Κράτους του, σύμφωνα με την εθνική νομοθεσία και τους σχετικούς διεθνείς κανονισμούς. Ειδικότερα, αυτά τα μέτρα αποσκοπούν στην προστασία αυτών των πλοίων από οποιαδήποτε παράνομες ενέργειες, που δυνατό να θέσουν σε κίνδυνο την ασφάλεια του πλοίου, μελών του πληρώματος, το φορτίο και άλλα πρόσωπα και παρουσία πάνω στο πλοίο, ως επίσης και τις επιχειρήσεις ή λιμενικές υπηρεσίες που έχουν σχέση με τα πλοία.
2. Αν οποιοδήποτε από τα Συμβαλλόμενα Μέρη προβλέψει οποιαδήποτε παράνομη ενέργεια στα λιμάνια ή στα χωρικά ύδατα του Κράτους του εναντίον πλοίου του Κράτους του άλλου Συμβαλλόμενου Μέρους, θα λάβει αμέσως όλα τα απαραίτητα μέτρα για να εμποδίσει την παράνομη ενέργεια για την προστασία του πλοίου, των μελών του πληρώματος, του φορτίου και των άλλων προσώπων και της παρουσίας πάνω στο πλοίο αυτό.

3. Σε περίπτωση που παράνομη ενέργεια διενεργηθεί σε λιμάνι ή στα χωρικά ύδατα του Κράτους του ενός Συμβαλλόμενου Μέρους, αυτό το Συμβαλλόμενο Μέρος θα λάβει αμέσως όλα τα αναγκαία μέτρα σύμφωνα με την εθνική νομοθεσία του Κράτους του για την καταστολή της ενέργειας αυτής. Αυτό το Συμβαλλόμενο Μέρος θα ειδοποιήσει αμέσως το προξενικό γραφείο ή την διπλωματική αποστολή του Κράτους του άλλου Συμβαλλόμενου Μέρους για αυτή την παράνομη ενέργεια και τα μέτρα που έχουν ληφθεί.

ΑΡΘΡΟ 19

Προστασία του θαλάσσιου περιβάλλοντος

Οι αρμόδιες αρχές των Συμβαλλόμενων Μερών θα ενθαρρύνουν τα μέλη του πληρώματος πλοίων των Κρατών τους να λάβουν όλα τα απαραίτητα μέτρα για την πρόληψη της θαλάσσιας ρύπανσης εντός των χωρικών υδάτων των Κρατών είτε του ενός ή του άλλου Συμβαλλόμενου Μέρους.

ΑΡΘΡΟ 20

Ναυσιπλοΐα στο Δούναβη

Οι πρόνοιες της παρούσας Συμφωνίας θα εφαρμόζονται σε σχέση με τη ναυσιπλοΐα στον θαλάσσιο Δούναβη, λαμβάνοντας υπόψη το νομικό καθεστώς αναφορικά με τη ναυσιπλοΐα στο Δούναβη, που ρυθμίζεται από τη Σύμβαση για το Καθεστώς Ναυσιπλοΐας στο Δούναβη, Βελιγράδι 1948, και από τη Σύμβαση για την Προστασία και Χρήση του Ποταμού Δούναβη, Σόφια 1994.

ΑΡΘΡΟ 21

Υποχρεώσεις με βάση τις διεθνείς συμβάσεις

1. Αναφορικά με τα θέματα που δεν καλύπτονται από την παρούσα Συμφωνία θα εφαρμόζεται η εθνική νομοθεσία των Κρατών των Συμβαλλόμενων Μερών.
2. Οι πρόνοιες της παρούσας Συμφωνίας δεν επηρεάζουν τα δικαιώματα και τις υποχρεώσεις των Συμβαλλόμενων Μερών που απορρέουν από τις διεθνείς ναυτιλιακές συμβάσεις που είναι δεσμευτικές και για τα δύο Συμβαλλόμενα Μέρη και τη συμμετοχή τους σε διεθνείς οργανισμούς, ειδικά σε οργανισμούς περιφερειακής οικονομικής ενοποίησης.

ΑΡΘΡΟ 22

Κοινή Ναυτιλιακή Επιτροπή

1. Τα Συμβαλλόμενα Μέρη θα εγκαθιδρύσουν Κοινή Ναυτιλιακή Επιτροπή προκειμένου να:
 - (α) συζητούν προβλήματα που αφορούν την εφαρμογή και τήρηση των προνοιών της παρούσας Συμφωνίας

- (β) ανταλλάσσουν απόψεις σε σχέση με θέματα αμοιβαίου ενδιαφέροντος που αφορούν θαλάσσιες μεταφορές·
 - (γ) διευκολύνουν την ανάπτυξη του θαλάσσιου εμπορίου μεταξύ των Κρατών τους·
 - (δ) αναλαμβάνουν κοινές μελέτες σχετικά με την εισαγωγή νέων γραμμών στον τομέα των θαλάσσιων μεταφορών.
2. Η Κοινή Ναυτιλιακή Επιτροπή αποτελείται από αντιπροσώπους του κάθε Συμβαλλόμενου Μέρους που διορίζονται από τις αρμόδιες αρχές του. Η Κοινή Ναυτιλιακή Επιτροπή μπορεί να καλεί εμπειρογνώμονες του κάθε Συμβαλλόμενου Μέρους, όπου αυτό είναι απαραίτητο, για να λάβουν μέρος στις συνομιλίες.
 3. Η Κοινή Ναυτιλιακή Επιτροπή θα συνέρχεται, μετά από αίτηση της αρμόδιας αρχής είτε του ενός ή του άλλου Συμβαλλόμενου Μέρους, εναλλακτικά στις επικράτειες των Κρατών των Συμβαλλόμενων Μερών.
 4. Η Κοινή Ναυτιλιακή Επιτροπή κατά την πρώτη της συνάντηση θα ετοιμάσει και συμφωνήσει τους δικούς της κανόνες και δραστηριότητες.

ΑΡΘΡΟ 23

Επίλυση διαφορών

1. Οποιοσδήποτε διαφορές που προκύπτουν από την ερμηνεία ή εφαρμογή της παρούσας Συμφωνίας θα διευθετούνται με απευθείας διαπραγματεύσεις στα πλαίσια της Κοινής Ναυτιλιακής Επιτροπής.
2. Σε περίπτωση που η Κοινή Ναυτιλιακή Επιτροπή δεν καταλήξει σε συμφωνία, οι διαφορές θα επιλύονται μέσω της διπλωματικής οδού.

ΑΡΘΡΟ 24

Έναρξη ισχύος και διάρκεια ισχύος

1. Η παρούσα Συμφωνία θα τεθεί σε ισχύ τριάντα μέρες μετά τη λήψη της τελευταίας γνωστοποίησης με την οποία τα Συμβαλλόμενα Μέρη πληροφρούνται μεταξύ τους για τη συμπλήρωση των εθνικών συνταγματικών / νομικών διαδικασιών αναφορικά με την έναρξη της ισχύος αυτής.
2. Η παρούσα Συμφωνία θα παραμείνει σε ισχύ για απεριόριστο χρονικό διάστημα. Μπορεί να καταγγελθεί οποτεδήποτε από οποιοδήποτε Συμβαλλόμενο Μέρος δίδοντας γραπτή ειδοποίηση στο άλλο Συμβαλλόμενο Μέρος μέσω της διπλωματικής οδού. Σε τέτοια περίπτωση η καταγγελία θα τεθεί σε ισχύ έξι μήνες μετά την ημερομηνία λήξης τέτοιας ειδοποίησης.

ΑΡΘΡΟ 25

Τροποποιήσεις

Η παρούσα Συμφωνία μπορεί να τροποποιηθεί με την αμοιβαία συναίνεση των Συμβαλλόμενων Μερών. Οποιοσδήποτε τροποποιήσεις στη Συμφωνία θα τίθενται σε ισχύ με τη συμπλήρωση των διαδικασιών που προβλέπεται στο Άρθρο 24.

ΑΡΘΡΟ 26

Τερματισμός της προηγούμενης Συμφωνίας

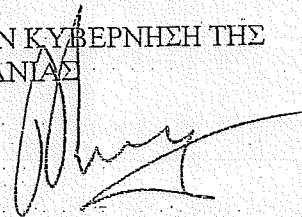
Κατά την ημερομηνία έναρξης της ισχύος της παρούσας Συμφωνίας, η Συμφωνία μεταξύ της Κυβέρνησης της Κυπριακής Δημοκρατίας και της Κυβέρνησης της Σοσιαλιστικής Δημοκρατίας της Ρουμανίας, για τη Θαλάσσια Ναυσιπλοΐα που υπογράφηκε στη Λευκωσία στις 25 Οκτωβρίου 1981, θα παύσει να ισχύει.

Έγινε στη Λευκωσία στις 23 Οκτωβρίου 2006, σε δύο πρωτότυπα το κάθε ένα από αυτά στην ελληνική, ρουμανική και αγγλική γλώσσα, όλα τα κείμενα είναι εξίσου αυθεντικά. Σε περίπτωση διαφοράς στην ερμηνεία, το αγγλικό κείμενο θα υπερισχύει.

ΓΙΑ ΤΗΝ ΚΥΒΕΡΝΗΣΗ ΤΗΣ
ΚΥΠΡΙΑΚΗΣ ΔΗΜΟΚΡΑΤΙΑΣ



ΓΙΑ ΤΗΝ ΚΥΒΕΡΝΗΣΗ ΤΗΣ
ΡΟΥΜΑΝΙΑΣ



A C O R D
ÎN TRE G U V E R N U L R E P U B L I C I I C I P R U
Ș I
G U V E R N U L R O M Â N I E I
P R I V I N D T R A N S P O R T U L M A R I T I M

Guvernul Republicii Cipru și Guvernul României, denumite în continuare "Părți Contractante",

DORIND să asigure o dezvoltare armonioasă a transportului maritim între statele lor,

RESPECTÂND principiul libertății navigației internaționale între statele lor,

CONSIDERÂND că ambele Părți Contractante își vor acorda reciproc toată asistența posibilă pentru stabilirea unor relații bilaterale și multilaterale între organizațiile lor și unitățile responsabile de activitățile de transport maritim,

Au convenit următoarele:

ARTICOLUL 1

Definiții

În sensul prezentului Acord:

1. "teritoriul statului unei Părți Contractante" înseamnă teritoriul Republicii Cipru și, respectiv, teritoriul României, în conformitate cu legislațiile naționale ale acestora.
2. "apele teritoriale ale statului unei Părți Contractante", în sensul prezentului acord, înseamnă apele naționale navigabile, inclusiv marea teritorială și apele interne, aflate sub suveranitatea Republicii Cipru și respectiv a României, în conformitate cu legislația națională și reglementările internaționale.
3. "nave ale statului unei Părți Contractante" înseamnă navele maritime comerciale înregistrate în registrul său naval și îndreptățite să arboreze pavilionul aceluși stat, sau navosite de o companie de transport maritim, în conformitate cu legislația sa națională.

Această definiție nu include:

- a. navele de război și navele pentru transportul forțelor armate;
- b. navele utilizate exclusiv în scopuri militare;
- c. navele utilizate pentru servicii guvernamentale;
- d. navele de cercetare (hidrografic, oceanografic și științific);
- e. navele nucleare;

- f. navele de pescuit;
- g. ambarcațiunile de agrement cu sau fără propulsie mecanică;
- h. navele utilizate pentru servicii publice;
- i. navele utilizate în scopuri necomerciale;

4. “**companie de transport maritim**” a statului unei Părți Contractante înseamnă o persoană juridică înregistrată în conformitate cu legislația în vigoare pe teritoriul statului acelei Părți Contractante, care deține sau operează nave.
5. “**membrii echipajului**” înseamnă orice persoană, inclusiv comandantul, angajată efectiv pentru a îndeplini sarcini la bord pe perioada unui voiaj și care este inclusă în lista cuprinzând echipajul.
6. “**pasageri**” înseamnă acele persoane de la bordul unei nave a statului oricărei Părți Contractante care nu sunt angajate în nici un fel la bord și ale căror nume sunt incluse în lista cuprinzând pasagerii acelei nave.
7. “**porturi ale statului unei Părți Contractante**” înseamnă părțile din teritoriul statului unei Părți Contractante, deschise navigației internaționale, pentru încărcare, descărcare sau transbordare de mărfuri și /sau pasageri, precum și locurile de acostare autorizate oficial, inclusiv radele portuare.

ARTICOLUL 2

Aplicare

Prezentul Acord va fi aplicat pe teritoriile Republicii Cipru și României.

ARTICOLUL 3

Autorități competente

De aspectele referitoare la implementarea prezentului acord se vor ocupa autoritățile competente ale Părților Contractante.

Aceste autorități competente sunt:

- pentru Guvernul Republicii Cipru – Ministerul Comunicațiilor și Lucrărilor Publice
- pentru Guvernul României - Ministerul Transporturilor, Construcțiilor și Turismului

În cazul în care oricare dintre autoritățile competente menționate în acest paragraf se schimbă, numele noii autorități va fi notificat celeilalte Părți Contractante pe căi diplomatice.

ARTICOLUL 4

Libertatea navigației

1. Părțile Contractante își vor acorda reciproc orice ajutor posibil pentru dezvoltarea transportului maritim între statele lor și se vor abține de la luarea oricărei măsuri care ar afecta progresul normal al liberei navigații internaționale.

În acest scop, Părțile Contractante convin următoarele:

- a) să încurajeze navele statului fiecărei Părți Contractante să participe la transportul de bunuri între porturile celor două state și să coopereze pentru eliminarea oricăror obstacole care ar putea să afecteze dezvoltarea acestui transport;
 - b) să nu creeze obstacole pentru navele statului oricărei Părți Contractante în transportul de bunuri între porturile statelor lor și porturile unor state terțe și să faciliteze cu toate mijloacele posibile realizarea fără piedici a acestui transport.
2. Prevederile paragrafului 1 al acestui articol nu vor aduce atingere dreptului navelor care arborează pavilionul unor state terțe de a participa la comerțul maritim între porturile statelor Părților Contractante și porturile unor state terțe.

ARTICOLUL 5

Tratamentul navelor în porturi

1. Fiecare Parte Contractantă va acorda navelor statului celeilalte Părți Contractante precum și încărcăturii acestora, când sunt în apele teritoriale ale statului său, aceleași drepturi acordate navelor proprii, în ceea ce privește:
 - a) libertatea de acces în apele teritoriale și în porturi;
 - b) folosirea porturilor pentru încărcarea și descărcarea mărfurilor;
 - c) imbarcarea și debarcarea pasagerilor;
 - d) accesul la serviciile de pilotaj;
 - e) libertatea de acces la toate serviciile portuare;
 - f) taxele și tarifele portuare.
2. Prevederile paragrafului 1 al acestui articol nu se vor aplica activităților care, în conformitate cu legislația națională a statului fiecărei Părți Contractante, sunt rezervate propriilor companii de transport maritim și organizații, cum ar fi cabotajul, serviciile de remorcaj, pilotajul, serviciile portuare auxiliare și operațiunile de salvare.

ARTICOLUL 6

Facilitarea operațiunilor în porturi

Părțile Contractante vor adopta, în limitele legilor naționale și a reglementărilor lor corespunzătoare, toate măsurile adecvate pentru a reduce întârzierile nejustificate ale navelor în porturile statelor lor și pentru a simplifica, atât cât este posibil, îndeplinirea formalităților administrative, vamale și sanitare aplicabile în aceste porturi.

ARTICOLUL 7

Înregistrarea contractului de bareboat

Navele statului unei Părți Contractante pot fi înregistrate sub un contract de bareboat pentru o anumită perioadă de timp în registrul naval al statului celeilalte Părți Contractante și să arboreze pavilionul aceluși stat, cu condiția ca acea navă să fie navosită de un cetățean sau o companie de transport maritim a statului celeilalte Părți Contractante, înregistrată în acest stat și calificată să dețină o navă arborând pavilionul

acelui stat. Pentru o astfel de înregistrare este necesară aprobarea autorităților competente ale ambelor Părți Contractante și orice condiții impuse trebuie respectate. Nava nu va fi ștearsă din registrul naval al statului primei Părți Contractante și toate înregistrările referitoare la proprietatea asupra navei și ipoteci/gajuri înregistrate vor rămâne valide, dar se va suspenda certificatul de naționalitate al navei, precum și dreptul de a arbora pavilionul statului său.

ARTICOLUL 8

Recunoașterea statutului navei și a documentelor

1. Certificatele de naționalitate / înregistrare, măsurătorile de tonaj pentru navele non-convenționale și alte documente ale navei, emise sau recunoscute de către autoritatea competentă a unei Părți Contractante, în conformitate cu legislația națională și reglementările internaționale, vor fi recunoscute de către autoritatea competentă și alte autorități relevante ale celeilalte Părți Contractante.
2. În afara cazului de vânzare a unei nave prin ordin judecătoresc, navele statului unei Părți Contractante nu pot fi înregistrate în registrul naval al statului celeilalte Părți Contractante, excepție făcând înregistrarea contractului bareboat, fără prezentarea certificatului de ștergere eliberat de autoritatea competentă a primei Părți Contractante.

ARTICOLUL 9

Documentele de identitate ale navigatorilor

1. Părțile Contractante vor recunoaște în mod reciproc documentele de identitate emise de autoritățile lor relevante pentru membrii echipajului la bordul navelor statelor lor.

Aceste documente de identitate sunt:

Pentru partea cipriotă – „documentul de identificare al navigatorului și carnetul de înregistrare a serviciului pe mare” și pașaportul eliberat de autoritățile cipriote relevante, pentru cetățenii Republicii Cipru;

Pentru partea română – „carnetul de marinar românesc” și pașaportul eliberat de autoritățile române relevante, pentru cetățenii României.

În cazul în care oricare dintre documentele de identitate menționate în acest paragraf sunt înlocuite sau sunt adăugate noi documente de identitate, noua denumire va fi notificată celeilalte Părți Contractante pe căi diplomatice.

2. Prevederile articolelor 10 și 11 ale prezentului acord se vor aplica în mod corespunzător oricărei persoane care nu este cetățean cipriot sau român dar care deține un document de identitate în conformitate fie cu prevederile Convenției privind facilitarea traficului maritim internațional, amendată, Londra 1965, sau cu prevederile „Convenției nr. 108 privind actele naționale de identitate pentru personalul navigant”, Geneva 1958. Un astfel de document de identitate trebuie emis de un stat care este parte la convenția corespunzătoare și care garantează readmisia purtătorului în țara care a emis documentul.

ARTICOLUL 10

Dreptul de intrare și tranzit

1. În timpul în care o navă a statului unei Părți Contractante se află într-un port al statului celeilalte Părți Contractante, fiecărui membru al echipajului acelei nave i se va permite să debarce pe teritoriul localității în care se află portul, precum și pe teritoriile adiacente acesteia, fără ca fi necesară viză, cu condiția ca acesta să prezinte un document de identitate corespunzător așa după cum este specificat în articolul 9 al prezentului acord. Oricum, această debarcare va fi permisă numai dacă comandantul a prezentat autorităților relevante din port o listă cuprinzând membrii echipajului, în conformitate cu reglementările în vigoare în acel port.
2. La coborârea pe țărm și la întoarcerea pe navă respectivul membru al echipajului se va supune controlului și formalităților vamale în vigoare în acel port.
3. Membrii echipajului unei nave a statului oricărei Părți Contractante, care dețin documentele de identitate specificate în articolul 9 al prezentului acord, pot intra sau călători pe teritoriul statului celeilalte Părți Contractante, în cazul unor accidente maritime sau altor dezastre, cu scopul de a se îmbarca pe o navă, pentru repatriere sau orice alt motiv acceptat de către autoritatea competentă a acestei Părți Contractante, cu respectarea legilor naționale și a reglementărilor statului respectivei Părți Contractante. În astfel de cazuri, dacă legislația națională a statului respectivei Părți Contractante prevede acordarea vizei, autoritățile relevante ale acestei Părți Contractante vor emite această viză în cel mai scurt timp posibil, în conformitate cu legislația sa.
4. În cazul în care posesorul documentelor de identitate a navigatorului specificate în articolul 9 al prezentului acord nu este un cetățean al statului nici unei Părți Contractante, orice viză care poate fi necesară pentru motivele specificate în paragraful 2 al acestui articol, va fi emisă în conformitate cu legislația națională, având în vedere că întoarcerea în țara care a emis respectivul document de identitate al navigatorului este garantată posesorului.

ARTICOLUL 11

Excepție de la dreptul de intrare

1. Fără a afecta prevederile conținute în articolele 9 și 10 ale prezentului acord, legislația națională a statului fiecărei Părți Contractante privind intrarea, staționarea și plecarea spre/dinspre teritoriile statelor, va prevala.
2. Fiecare Parte Contractantă își rezervă dreptul de a refuza intrarea pe teritoriul statului său a persoanelor care dețin documentele de identitate menționate în articolul 9 al prezentului acord, dacă aceste persoane sunt considerate indezirabile.

ARTICOLUL 12

Asistența medicală

1. Fiecare Parte Contractantă va acorda ajutorul medical necesar membrilor echipajului navei statului celeilalte Părți Contractante, în baza legislației sale naționale.

2. Membrii echipajului navelor statului unei Părți Contractante, aflați sub tratament medical, vor avea permisiunea de a intra și rămâne pe teritoriul statului celeilalte Părți Contractante, pe perioada necesară tratamentului medical, în conformitate cu legile naționale și reglementările statului respectivei Părți Contractante.

ARTICOLUL 13

Angajarea navigatorului

1. Pentru exploatarea în siguranță a navelor statului oricărei Părți Contractante cu personal calificat, companiile de transport maritim ale statului unei Părți Contractante pot angaja, în conformitate cu legislația și reglementările relevante ale statului lor, cetățeni calificați ai statului celeilalte Părți Contractante. Condițiile de angajare ai acestor cetățeni pe navele statului celeilalte Părți Contractante vor fi aprobate de autoritățile competente ale țării căreia îi aparține navigatorul, în consultare, acolo unde este posibil, cu uniunea națională a navigatorilor sau asociațiile de angajare.
2. Orice dispută apărută din respectivul contract de angajare între o companie de transport maritim a statului unei Părți Contractante și un navigator al statului celeilalte Părți Contractante va fi soluționată numai sub jurisdicția exclusivă a tribunalelor sau autorităților competente ale oricărei Părți Contractante.

ARTICOLUL 14

Accidente maritime

1. Dacă o navă a statului unei Părți Contractante eșuează sau suferă orice alt accident în apele teritoriale ale statului celeilalte Părți Contractante, acea navă și încărcătura sa vor primi aceeași asistență care este acordată navelor statului celeilalte Părți Contractante și încărcăturii acestora.
Membrii echipajului și pasagerilor de la bordul navei statului unei Părți Contractante care a suferit un accident, li se vor acorda în orice moment aceeași asistență care este acordată cetățenilor statului în ale cărui ape teritoriale s-a produs incidentul.
2. Încărcătura descărcată sau salvată de la bordul unei navei precizate la paragraful 1 al acestui articol, va fi scutită de taxe vamale cu condiția ca aceasta să nu fie destinată consumului sau folosirii pe teritoriul statului celeilalte Părți Contractante.
3. Prevederile paragrafului 2 al acestui articol nu vor prevala față de legile naționale și reglementările statului fiecărei Părți Contractante privind depozitarea temporară de bunuri.
4. Prevederile acestui articol nu vor aduce atingere altor cereri apărute în legătură cu salvarea și asistența acordate unei nave avariate, încărcăturii acesteia și a altor bunuri.
5. Autoritatea competentă a Părți Contractante în ale cărei ape teritoriale o navă a statului celeilalte Părți Contractante a suferit un accident, după cum este descris la paragraful 1 al acestui articol, va notifica imediat despre eveniment celui mai

apropiat reprezentant consular al celeilalte Părți Contractante și va investiga cauza accidentului sau va asigura orice asistență posibilă pentru realizarea unei astfel de investigații.

ARTICOLUL 15 Transferul profiturilor

1. În conformitate cu legile și reglementările statului său, fiecare Parte Contractantă va acorda celeilalte Părți Contractante dreptul de transfer, la cursul de schimb al pieței valutare interbancare din ziua în care se face transferul, al profitului net realizat de companiile de transport maritim ale statului acelei celeilalte Părți Contractante, din operațiunile de transport maritim.
2. Profiturile obținute de companiile de transport maritim sunt impozabile în conformitate cu convenția de evităare a dublei impunerii și prevenire a evaziunii fiscale cu privire la impozitele pe venit și pe avere, existentă între cele două Părți Contractante.

ARTICOLUL 16 Cooperare

1. Părțile Contractante vor încuraja companiile de transport maritim din statele lor să stabilească, în condiții de eficiență economică, linii maritime regulate între porturile statelor lor, care să fie folosite de navele lor, în vederea dezvoltării comerțului maritim dintre ele.
2. Părțile Contractante vor încuraja utilizarea tehnologiilor moderne în transportul maritim.
3. Părțile Contractante convin să-și asigure reciproc, în măsura posibilităților, asistență tehnică pentru dezvoltarea flotelor comerciale, inclusiv prin pregătirea navigatorilor. În acest sens Părțile Contractante vor încuraja, sprijinii și facilita cooperarea în domeniul pregătirii maritime între instituțiile și agențiile de training relevante din statele lor.

ARTICOLUL 17 Stabilirea agențiilor

Organizațiile de navigație care sunt înregistrate, operează și au sediul permanent pe teritoriul statului unei Părți Contractante și companiile de transport maritim au dreptul să stabilească agenții funcționale în teritoriul statului celeilalte Părți Contractante, în conformitate cu legislația națională și reglementările din această ultimă Parte Contractantă.

ARTICOLUL 18 Măsuri de securitate și siguranță

1. Fiecare Parte Contractantă va lua toate măsurile de securitate necesare pentru a asigura siguranța navelor, a membrilor echipajului, a încărcăturii și a altor persoane și bunuri aflate la bordul navelor statului celeilalte Părți Contractante în timpul în care navele se află în porturile sau în apele teritoriale ale statului său,

în conformitate cu legislația națională și reglementările internaționale relevante. Aceste măsuri vor avea ca scop, în special, protecția navelor împotriva oricăror acțiuni ilegale care pot pune în pericol siguranța navelor, a membrilor echipajului, a încărcăturii și a altor persoane și bunuri aflate la bordul navelor, precum și a operațiunilor sau serviciilor portuare privind acele nave.

2. Dacă oricare Parte Contractantă anticipează, în porturile sau în apele teritoriale ale statului său, orice acțiune ilegală îndreptată împotriva unei nave a statului celeilalte Părți Contractante, va lua imediat toate măsurile necesare pentru a preveni acea acțiune ilicită pentru a proteja nava, echipajul acesteia, încărcătura și alte persoane și bunuri aflate la bordul acestei nave.
3. În cazul unei acțiuni ilegale care are loc în portul sau în apele teritoriale ale statului unei Părți Contractante, acea Parte Contractantă va lua imediat măsurile necesare, în conformitate cu legislația națională a statului său, pentru a pune capăt acelei acțiuni. Această Parte Contractantă va informa imediat oficiul consular sau misiunea diplomatică a statului celeilalte Părți Contractante asupra acelei acțiuni ilegale și a măsurilor întreprinse.

ARTICOLUL 19

Protecția mediului marin

Autoritățile competente ale Părților Contractante vor impulsiona membrii echipajului navelor statelor lor să ia toate măsurile necesare pentru a preveni poluarea marină în apele teritoriale ale statului oricărei Părți Contractante.

ARTICOLUL 20

Navigația pe Dunăre

În privința navigației pe Dunărea maritimă, prevederile prezentului acord se vor aplica ținând cont de regimul juridic al navigației pe Dunăre, reglementat de "Convenția despre regimul navigației pe Dunăre, semnată la Belgrad la 18 august 1948, împreună cu cele două anexe și protocolul adițional" și de "Convenția privind cooperarea pentru protecția și utilizarea durabilă a fluviului Dunărea", semnată la Sofia la 29 iunie 1994.

ARTICOLUL 21

Obligații din acorduri internaționale

1. În orice alte aspecte care nu sunt acoperite de prezentul acord legislațiile naționale ale statelor Părților Contractante se vor aplica.
2. Prevederile prezentului acord nu vor afecta drepturile și obligațiile Părților Contractante care reies din convențiile maritime internaționale obligatorii pentru ambele Părți Contractante și din calitatea de membru la organizațiile internaționale, în mod special a organizațiilor de integrare economică regională.

ARTICOLUL 22

Comisia Mixtă Maritimă

Părțile Contractante vor stabili o Comisie Mixtă Maritimă în vederea:

- a) discutării aspectelor privind aplicarea și implementarea prevederilor prezentului acord;
 - b) schimbării de opinii pe probleme de interes comun privind transportul maritim;
 - c) facilitării dezvoltării comerțului maritim dintre statele lor;
 - d) realizării de studii comune privind introducerea de noi servicii în transportul maritim.
2. Comisia Mixtă Maritimă este formată din reprezentanți ai fiecărei Părți Contractante, desemnați de autoritatea lor competentă. Când este necesar, Comisia Mixtă Maritimă poate invita experți ai fiecărei Părți Contractante pentru a participa la discuții.
 3. Comisia Mixtă Maritimă se va întruni la cererea autorității competente a oricărei Părți Contractante, alternativ, pe teritoriile statelor Părților Contractante.
 4. Cu ocazia primei sale întruniri, Comisia Mixtă Maritimă își va stabili și va conveni asupra propriilor reguli și a propriei activități.

ARTICOLUL 23

Soluționarea diferendelor

1. Orice diferend privind interpretarea sau aplicarea prezentului acord va fi soluționat prin negocieri directe în cadrul Comisiei Mixte Maritime.
2. Dacă Comisia Mixtă Maritimă nu poate ajunge la o concluzie, acest diferend va fi soluționat pe căi diplomatice.

ARTICOLUL 24

Intrarea în vigoare și valabilitatea

1. Prezentul Acord va intra în vigoare la treizeci de zile de la data primirii ultimei notificări, prin care Părțile Contractante s-au informat reciproc asupra îndeplinirii procedurilor legale/constituționale naționale referitoare la intrarea în vigoare a acestuia.
2. Prezentul acord va rămâne în vigoare pentru o perioadă nedefinită. Poate fi denunțat oricând de oricare dintre Părțile Contractante notificând pe căi diplomatice cealaltă Parte Contractantă. În acest caz denunțarea va deveni efectivă la șase luni de la data primirii unei astfel de notificări.

ARTICOLUL 25

Amendamente

Prezentul Acord poate fi amendat prin consimțământul reciproc al Părților Contractante.

Orice amendamente vor intra în vigoare după îndeplinirea procedurilor stipulate în Articolul 24.

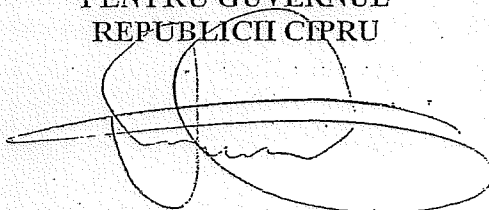
ARTICOLUL 26
Încetarea acordului precedent

La data intrării în vigoare a prezentului acord, Acordul între Guvernul Republicii Cipru și Guvernul Republicii Socialiste România privind navigația maritimă, semnat la Nicosia, la 25 octombrie 1981, va înceta să mai fie în vigoare.

Semnat la Nicosia, la ~~25~~¹³ octombrie 2006 în două exemplare originale, fiecare în limbile greacă, română și engleză, toate textele fiind egal autentice.

În caz de divergențe de interpretare, textul în limba engleză va prevala.

**PENTRU GUVERNUL
REPUBLICII CIPRU**



**PENTRU GUVERNUL
ROMÂNIEI**

