

AGREEMENT
ON MARITIME TRANSPORT
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND
THE GOVERNMENT OF THE RUSSIAN FEDERATION

The Government of the United States of America and the Government of the Russian Federation, hereinafter referred to as the Parties;

Recognizing the importance of maritime relations between the two countries;

Desiring to improve these relations, particularly through arrangements regarding facilitation of access to ports and cargo and passenger carriage by sea;

Wishing to promote further development of their bilateral and international trade;

Pursuant to the principles of equality and mutual benefit;

Have agreed as follows:

Article 1

For the purposes of this Agreement:

1.a. "Vessel of a Party" means any vessel registered in the country of a Party and flying its flag in accordance with its legislation and used for:

- (i) Commercial maritime shipping, and/or
- (ii) Merchant Marine training purposes.

b. "Vessel of a Party" does not include:

- (i) Warships as defined in the 1982 United Nations Convention on the Law of the Sea;
- (ii) Vessels engaged in hydrographic, oceanographic, meteorological, or terrestrial magnetic field research for civil applications, except for those mentioned under Paragraph 1. a. of this Article;
- (iii) Fishing vessels, fishery research vessels, or fishery support vessels;
- (iv) Recreational vessels.

2. "Crew member" means the master and any other person actually employed for duties on board during a voyage in the working or service of a vessel and included in the crew list.

Article 2

1. Calls by vessels flying the U.S. flag shall be permitted into ports of the Russian Federation open for calls of other foreign flag vessels provided that the appropriate authorities are notified 24 hours prior to the scheduled call, except for the ports listed in Paragraph 2 of this Article.

2. Entry into the ports of the Russian Federation: Murmansk, Novorossiysk, Vladivostok, and Petropavlovsk-Kamchatskiy shall be permitted provided that the appropriate authorities are notified 72 hours prior to the scheduled call.

Article 3

1. Calls by vessels flying the flag of the Russian Federation shall be permitted into ports of the United States of America provided that the appropriate authorities are notified 24 hours prior to the scheduled call, except for the ports listed in Paragraph 2 of this Article.

2. Entry into the US ports of Charleston, South Carolina; Hampton Roads, Virginia (including Norfolk, Newport News, Jamestown, Yorktown, Portsmouth, and the mouth of the James River); Honolulu, Hawaii; Port Saint Joe, Florida; Panama City, Florida; Portsmouth, New Hampshire; Pensacola, Florida; New London and Groton, Connecticut; Port Canaveral, Florida; Kings Bay, Georgia; Port Hueneme, California; and San Diego, California shall be permitted provided that the appropriate authorities are notified 72 hours prior to the scheduled call.

Article 4

Within the scope of the laws and regulations of their countries and in order to minimize as much as possible the berthing time of vessels in ports, the Parties shall facilitate the carrying out of administrative, customs, and public health formalities in force therein.

Article 5

The Parties shall conduct consultations, if necessary, to discuss the participation of vessels of the two Parties in bilateral transportation and to cooperate in eliminating hindrances which could impede such participation.

Article 6

This Agreement shall not apply to the vessels of one Party in the transportation of passengers and cargo between the ports of the country of the other Party; however, vessels of either Party may pick up or discharge passengers and cargo at more than one port of the country of the other Party, if such passengers and cargo are destined for or are proceeding from any other country on the same vessel.

Article 7

The Parties shall ensure that carriage of commercial cargo in the bilateral trade and between the ports of the country of a Party and ports of third countries is based on commercial considerations. Each Party shall accord the vessels of the other Party fair and non-discriminatory opportunities to compete for carriage of such cargo.

This Article shall not apply to cargoes reserved by the law of the country of a Party for carriage by the vessels of that Party.

Article 8

Each Party, subject to the laws and regulations of its country, shall provide non-discriminatory treatment to such commercial operations of carriers of the other Party as may be necessary to the efficient provision of maritime services.

Article 9

Payments for transportation services under this Agreement shall be made in any freely convertible currency mutually accepted by the firms, companies, corporations or trading organizations concerned.

Article 10

1. Each Party shall recognize the nationality of the vessels which fly the flag of the country of the other Party and which hold certificates of nationality issued according to the laws and regulations of the country of the other Party.

2. Each Party shall recognize the tonnage certificates issued by the authorities of the other Party in accordance with the International Convention on Tonnage Measurement of Ships, 1969. Other ships' documents issued by the authorities of the other Party shall be recognized to the extent permitted by laws and regulations of the port state.

3. Each Party shall ensure that tonnage dues upon vessels of the other Party will not exceed the charges imposed in like situations with respect to its national vessels.

Article 11

1. Each Party, subject to the laws and regulations of its country, shall recognize the identity documents of crew members issued by the competent authorities of the other Party.

2. The crew members of vessels of either Party shall be permitted to enter the country of the other Party and go ashore during the stay of their vessels in the ports of the country of the other Party in accordance with its laws and regulations.

3. Each Party, in accordance with the laws and regulations of its country, may deny entry into its country of a member of the crew of a vessel of the other Party.

4. The crew members of vessels of either Party requiring hospitalization shall be permitted to enter and remain in the country of the other Party for the period of time necessary for medical treatment, in accordance with the laws and regulations of the country of that other Party.

5. The crew members of vessels of either Party holding valid identity documents may enter the country or travel through the country of the other Party for the purpose of joining a vessel, for repatriation or for any other reason acceptable to the competent authorities of that other Party, subject to the laws and regulations of the country of that other Party.

Article 12

1. Should a vessel of either Party suffer shipwreck or be in any other distress in the ports or coastal waters of the country of the other Party, the latter shall give all possible assistance to the passengers, crew members, vessel and cargo.
2. When a vessel of one Party suffers shipwreck or is in any other distress and its cargo and other property is removed therefrom and landed in the country of the other Party, such cargo and other property shall not be subject to any customs duties by that Party, unless they enter into its domestic use or consumption. Storage charges incurred shall be just, reasonable and non-discriminatory.
3. The Party providing assistance under this Article shall promptly notify the consular officials, or in their absence the diplomatic representatives, of the country of the other Party when a vessel of that other Party is in distress, and inform them of measures taken for the rescue and protection of the passengers, crew members, vessel and cargo.

Article 13

Within the scope of the respective laws of their countries, the Parties shall continue their efforts to maintain and develop effective business relations and communications between the authorities responsible for maritime transport in their countries. In particular, the Parties shall encourage consultations and the exchange of information between these authorities and encourage the development of contacts between their appropriate shipping and shipping-related organizations.

Article 14

1. For the purposes of facilitating the implementation of this Agreement, the Designated Representatives shall be:

On the part of the United States of America-- the Maritime Administration, the United States Department of Transportation;

On the part of the Russian Federation-- the Ministry of Transport of the Russian Federation.

Each Party shall authorize its Designated Representative to take measures under the laws and procedures of its country to implement this Agreement. The Designated Representatives shall confer as often as may be necessary for a review of the operation of this Agreement.

2. Either Party may at any time request consultations on the interpretation of, application of, compliance with or amendment to this Agreement. Such consultations shall begin within thirty (30) days of the date of receipt of the request for consultations, unless otherwise agreed by the Parties.

Article 15

The provisions of this Agreement shall not limit the right of either Party to take any action for the protection of its national security interests.

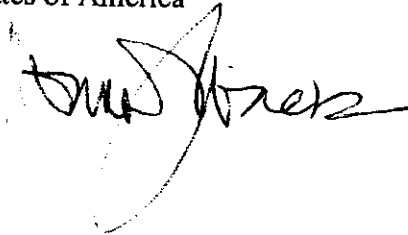
Article 16

1. This Agreement shall enter into force on the date of signature.
2. This Agreement shall be valid for a period of five (5) years and shall be extended automatically thereafter for successive one-year periods.
3. Either Party may terminate this Agreement at any time upon six (6) months' written notice to the other Party.

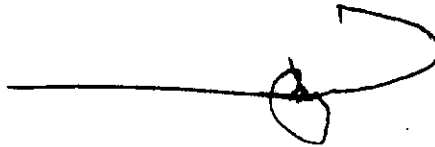
In witness whereof, the undersigned, being duly authorized by their respective governments, have signed this Agreement.

Done at St. Petersburg on June 20, 2001 in duplicate, each copy in the English and Russian languages, both texts being equally authentic.

For the Government of the United States of America



For the Government of the Russian Federation



MEMORANDUM

The Secretary of Transportation of the United States and the Minister of Transport of the Russian Federation met on June 20, 2001 in St. Petersburg.

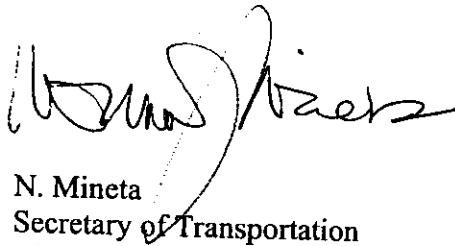
The Secretary and Minister signed an agreement on maritime transport between the government of the United States of America and the government of the Russian Federation.

During the course of their consultations the Secretary and Minister discussed the status and future of bilateral relations in the sphere of transportation, especially in the area of civil aviation and maritime shipping cooperation.

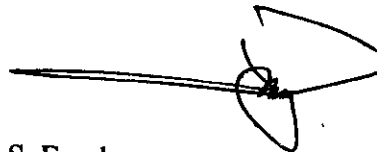
Considering that the development of cooperation between our countries in the sphere of transportation will lead to more intensive economic and trade ties between the United States and Russia, the Secretary and the Minister:

- confirmed their mutual intentions to develop transportation ties and emphasized the advisability of holding regular expert meetings to achieve these goals;
- noted the importance of signing a new agreement on maritime transport between the two countries that would provide a balance of benefits to both countries;
- Noted the importance of further development of the bilateral civil aviation relationship during upcoming, scheduled negotiations;
- agreed to explore greater cooperation in the area of highway planning and construction, including exchange of experience and training specialists in this field;
- emphasized the importance of promoting cooperation to raise safety standards for transportation systems;
- noted the importance of consultation on the possibilities of developing information technologies in transportation and projects in the area of environmental protection and energy conservation.

Done in Saint Petersburg, June 20 , 2001 in English and Russian.



N. Mineta
Secretary of Transportation
of the United States of America



S. Frank
Minister of Transport
of the Russian Federation