

**Cooperation Agreement in the field of Maritime Transport
between the Government of the Sultanate of Oman
and the Government of the Islamic Republic of Iran**

Preamble

The Government of the Sultanate of Oman and the Government of the Islamic Republic of Iran (hereinafter jointly referred to as the “Contracting Parties” and in the singular as the “Contracting Party”);

Desiring to strengthen the friendly relations between the Contracting Parties;

Aiming to promote cooperation in the field of maritime transport on the basis of principles of equality, sovereignty, reciprocal benefits, freedom of maritime navigation and non-discrimination in accordance with the international agreements ratified by the Contracting Parties in the field of maritime transport;

Have agreed as follows:

**Article 1
Definitions**

For the purpose of this Agreement, and unless the context otherwise requires:

1- **“Competent Authorities”**:

- For the Government of Sultanate of Oman:

The Ministry of Transport - Directorate General for Maritime Affairs.

- For the Government of the Islamic Republic of Iran:

The Ministry of Roads and Urban Development – Ports and Maritime Organization;

2- **“Vessel of the Contracting Party”**: any merchant sea-going vessel registered in the territory and flying the flag of either Contracting Party in accordance with its laws and regulations in force. This term does not apply to warships, coast guard and police vessels, scientific research vessels, fishing and hospital vessels, governmental vessels used in non-commercial functions, as well as vessels performing public functions;

3- **“Shipping Companies”**: a legal person or other entity registered in the territory of a Contracting Party in accordance with its laws and regulations in force, having its residence or registered seat within that Contracting Party authorized for international navigation. This term shall also apply to a natural person with the above characteristics.

4- **“Crew Member”**: any person working on board a Vessel of either Contracting Party, or whose name is included in the crew list of the Vessel and holds a seafarer identity document.

5- **“Port of the Contracting Party”**: a place that has port location and facilities and is open to international merchant shipping.

6- **“Passenger”**: a person carried on board a Vessel under a transport contract, without entering his/her name into the crew list of the Vessel of either Contracting Parties and/or engaged in any works on it under a contract.

Article 2
Development of Maritime Transport

1. The Contracting Parties shall take the following measures:
 - i. Contribute in the development of maritime transport between the Contracting Parties and joining efforts to eliminate any impediments that might hinder development of maritime transport between the ports of the Contracting Parties.
 - ii. Promote unlimited participation of Shipping Companies of the Contracting Parties in transport of goods between their states, as well as between a Contracting Party and any third state.
2. Vessels of either Contracting Party may enter ports of the other Contracting Party and also transport passengers and cargo between the Contracting Parties as well as between either Contracting Party and third state.
3. The provisions of paragraphs (1) and (2) of this Article shall not prejudice the rights of the Shipping Companies of third states as well as Vessels flying flag of third states to engage in maritime transport between ports of the Contracting Parties and/or between ports of either Contracting Party and ports of third state.

Article 3
Non-discrimination and Free Competition

The Contracting Parties shall observe the rules of non-discrimination and free competition in the field of international maritime transport.

Article 4
Agency and Branch

Shipping Companies of a Contracting Party may establish an agency or a branch within the territory of the other Contracting Party, in accordance with the laws and regulations in force in the other Contracting party.

Article 5
Freedom of Earnings Movement

A Contracting Party shall -in accordance with its national laws- grant the right of use, exchange and free transfer of earnings derived from shipping services provided within its territory.

Article 6
Vessels in Ports and Territorial Sea

Each Contracting Party shall, in its ports and territorial sea, provide the same treatment to the Vessels of the other Contracting Party; including their cargo, crew members and passengers in the following cases:

- 1- access to ports of the Contracting Parties;
- 2- treatment during stay in and departure from ports;
- 3- use of port facilities to transport cargo and passengers;
- 4- access to all port services and facilities.

Article 7
Aspects Excluded from the Scope of the Agreement

1- This Agreement does not include privileges of coastal maritime transport, towage operations, navigation and other services related to maritime transport available for Shipping Companies or other enterprises, as well as for nationals and residents of the Contracting Party.

2- The provisions of paragraph (1) of this Article shall not apply to coastal maritime transport if the Vessel of either Contracting Party was granted approval to operate between the ports of the other Contracting Party, either to unload cargo or disembark passengers carried from a third state, or to load cargo or passengers on board and carry them to a third state.

Article 8
Compliance with the Laws in Force

1-Vessels of the Contracting Party, their crew members, passengers and cargo -whilst in the territory of the other Contracting Party- shall be subject to the laws and regulations in force, in particular, the regulations of (safety of maritime transport - entry, stay and departure of crew members and passengers- import and export of goods- border crossing- immigration- customs- taxes- environment protection) and health measures.

2-Vessels of a Contracting party, shall be subject to the regulations relating to Vessels equipment and facilities, safety appliances, measurement and its seaworthiness, which are binding on the state whose flag the Vessel is flying under relevant international conventions.

Article 9
Facilitation of Maritime Transport

The Contracting Parties shall -within the limits of the laws and regulations in force in their territories- adopt all necessary measures to facilitate and simplify administrative, customs and sanitary procedures, as well as any other formalities applied in their ports.

Article 10
Recognition of Documents

1- Each Contracting Party shall recognize the nationality of the Vessel of the other Contracting Party based on the documents carried on board, issued by the Competent Authorities in accordance with the laws and regulations in force.

2-Each Contracting Party shall recognize all the documents of a Vessel issued by the Competent Authority of the other Contracting Party.

3- Each Contracting Party shall recognize the Tonnage Measurement Certificates, issued and/or recognized by the Competent Authorities of the other Contracting Party taking into account the requirements of the relevant international conventions. In all cases, Vessels of a Contracting Party holding valid Tonnage Measurement Certificates shall be exempted from re-measurement in ports of the other Contracting Party.

Article 11
Crew Members' Identity Documents

1- Each Contracting Party shall recognize the official identity documents of crew members - who are nationals of the other Contracting Party- entitling them to cross the state border, issued by the Competent Authorities of the latter Contracting Party, and shall grant the holders of these documents the rights referred to in Article (12) of this Agreement.

These documents are as follows:

- Government of the Sultanate of Oman: Seafarers Identity Document.
- Government of the Islamic Republic of Iran: Seafarers Identity Document.

2-The Contracting Parties shall exchange through diplomatic channels specimens of the documents referred to in paragraph (1) of this Article, not later than thirty (30) days following the day this Agreement enters into force. The Contracting Parties shall notify each other of any change in the type of such documents, not later than (30) days prior to the change or introduction thereof.

3- Crew Members of a Vessel of the Contracting Party, who are nationals of a third state, shall hold documents, issued by the Competent Authorities of the other Contracting Party entitling them to cross the state border.

Article 12
Entry, Transit and Stay of Crew Members

1- Each Contracting Party shall allow crew members of the Vessels of the other Contracting Party, holders of one of the documents referred to in paragraphs (1) and (3) of Article (11) of this Agreement, to stay in the town during the stay of the Vessel in its port, in accordance with laws and regulations in force in the State of that Contracting Party, unless it has justified reasons to refuse granting permission on grounds of public health, public safety, public order or national security. Either Contracting Party may refuse to grant permission to any crew member of the Vessel of the Contracting Party as per the laws and regulations of that Contracting Party.

2- Every crew member -holding any of the documents referred to in paragraphs (1) and (3) of the Article 11 of this Agreement and a valid visa-, if required, may pass in transit through the territory of the other Contracting Party for the following purposes:

- a) joining his own Vessel or transferring to another Vessel;
- b) repatriation to his home country; or
- c) any other purpose approved by the Competent Authorities of the other Contracting Party.

3- The relevant authority of the Contracting Parties shall - in accordance with the laws and regulations in force- issue a residence permit to any crew member admitted to hospital in their territory, for the period of time necessary for treatment.

4- Subject to paragraph (1) of this Article, the Contracting Parties reserve the right to deny entry into their territories to an undesirable person, even in cases where such persons hold any of the documents referred to in Article (11) of this Agreement and a valid visa.

5- The provisions of paragraphs (1) to (4) of this Article shall not affect the laws and regulations of the Contracting Parties in respect of entry, transit, stay and departure of foreigners.

Article 13
Cooperation and Assistance

- 1- If a Vessel of a Contracting Party was involved in an accident or encountered any danger in the territorial sea of the other Contracting Party, Competent Authorities of the other Contracting Party shall take all necessary measures to provide help and assistance to the Vessel's crew members, passengers and cargo carried aboard, to the same extent as it would have rendered to its own Vessels.
- 2- The Contracting Parties shall comply with the provisions of the International Maritime Organization (IMO) whilst determining the causes of maritime accidents.
- 3- The Competent Authorities of the Contracting Party, in whose territorial sea a Vessel of the other Contracting Party has suffered from an accident or encountered any other danger, shall notify -as soon as possible- the event to the nearest consular representative of the other Contracting Party.
- 4- The occurrence of an accident or an emergency for a Vessel of a Contracting Party in the internal waters or territorial sea of the other Contracting Party shall be promptly notified by the Competent Authorities of a Contracting Party to the Competent Authorities of the other Contracting Party. The equipment and other properties, cargo, spare parts and supplies on board of a damaged Vessel shall be exempt from all customs duties, dues and taxes, provided that they are not cleared for commercial purposes in the territory of that Contracting Party.
- 5- The provisions of paragraphs (1) to (4) of this Article shall not prejudice the right to bring an action to claim charges related to maritime search and rescue services, assistance and help granted to a Vessel, its passengers, crew members and cargo.

Article 14
Technical Cooperation

The Contracting Parties shall do everything in their power to develop mutual maritime cooperation in the field of merchant shipping, encourage their maritime companies and any institutions related to maritime transport or the development of activities in all fields of cooperation. Such cooperation shall include the following:

- search and rescue operations;
- maritime environment protection;
- maritime training;
- maritime safety;
- exchange of information and experience.

Article 15
Joint Committee

The Contracting Parties shall establish a joint committee comprising representatives of the relevant authorities and hold meetings alternately and periodically and/or at the request of either Contracting Party in the territory of either one of them in order to:

- a) discuss and review the issues which may arise out of implementation of this Agreement;
- b) conduct joint studies on rendering new services in the field of maritime transport.

Article 16
Settlement of Disputes

- 1- Any disputes arising from the implementation or interpretation of this Agreement, shall be settled through negotiations by the Competent Authorities of the Contracting Parties.
- 2- In the event that a dispute cannot be settled through negotiation, it shall be settled through diplomatic channels.

Article 17
Amendment of the Agreement

This Agreement may be amended by the written consent of the Contracting Parties. Any amendment shall enter into force in accordance with the provisions of Article (18) of this Agreement.

Article 18
Entry into Force

- 1- This Agreement shall be ratified - in accordance with the applicable legislative procedures - of the Contracting Parties, and the Parties shall notify each other of the approval of this Agreement by written notice. This Agreement shall enter into force thirty (30) days after the last notification through the diplomatic channels.
- 2- This Agreement shall remain in force for a period of ten (10) years, it shall be renewed automatically for other similar periods, unless terminated by either Party giving three (3) months' written notice in advance of its intention to terminate this Agreement.

Article 19
Language

This Agreement consists of a preamble and nineteen (19) Articles, in duplicate in the Persian, Arabic and English languages, all texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

Done at TEHRAN on DECEMBER 8, 2019 Corresponding to 17th Azar 1398 and 11th Rabi II 1441 H. by the representative of the Government of the Sultanate of Oman and Government of the Republic of Iran.

FOR THE GOVERNMENT OF THE
SULTANATE OF OMAN
Dr. ALI BIN MASOUD AL-SENEIDI
MINISTER OF COMMERCE
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FOR THE GOVERNMENT OF THE
ISLAMIC REPUBLIC OF IRAN
MOHAMMAD ESLAMI
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