IN THE NAME OF GOD THE COMPASSIONATE, THE MERCIFUL

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The Government of the Republic of the Philippines and the Government of the Islamic Republic of Iran hereinafter referred to as Contracting Parties;

Desirous of strengthening the friendly relations between the Contracting Parties and promoting cooperation to improve efficiency in the field of merchant shipping in accordance with the principle of equality and mutual benefit;

HAVE AGREED AS FOLLOWS:

ARTICLE I

For the purpose of this Agreement:

(a) The term "vessel of either Contracting Party" means merchant vessels flying the national flag of, and registered in either Contracting Party, excluding:

1. War ships;

2. Other vessels, performing services in the armed forces;

3. Research vessels (hydrographic, oceanographic and scientific);

4. Vessels which perform functions of non-commercial character (government yachts, hospital ships, etc.)

(b) The term "Crew members" means those who are working on board a vessel of either Contacting Party and hold identity documents issued by the competent authority of the Contracting Party as provided in Article 7 of this agreement and whose names are included in the crew list of the vessel;

(c) The term "Passengers" means those persons carried in the vessel of either Contracting Party who are not employed or engaged in any capacity on board that vessel and whose names are included in the passenger list of the vessel;

(d) The term "Cabotage" includes any transport of goods between any two ports of either Contracting Party;

(e) The term "Competent Authority" means;

1. In the Islamic Republic of Iran - Port and Shipping Organization of the Ministry of Roads and Transportation.

2. In the Republic of the Philippines - the Maritime Industry Authority, Department of Transportation and Communications.

(f) The term "territory" means

In respect of the Republic of the Philippines, the Philippine archipelago, with all the islands and waters embraced therein, and all other territories over which the Philippines has sovereignty or jurisdiction, consisting of its terrestrial, fluvial and aerial domains, including its territorial sea, the seabed, the subsoil, the insular shelves, and

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other submarine areas. The waters around, between, connecting the islands of the archipelago regardless of their breadth and dimensions, form part of the internal waters of the Philippines.

In respect of the Islamic Republic of Iran as defined in its law of the sea and adjacent area over winch the Islamic Republic of Iran has sovereign rights or jurisdiction.

ARTICLE 2

Vessels of either Contracting Party shall sail between certain ports of the Contracting Parties which are open to foreign countries and engage in passenger and cargo services hereinafter called the "agreed services" between the two countries.

ARTICLE 3

Each Contracting Party shall refrain, in accordance with their respective laws and regulations, from any discriminatory measures against the vessels of the other Contracting Party in respect of the agreed services between the two countries.

ARTICLE 4

Each Contracting Party shall grant to vessels of the other Contracting Party the most-favored-nation treatment at its ports open to foreign countries with due respect to the laws and regulations applied in each Contracting Party.

ARTICLE 5

The provisions of the present Agreement shall not apply to cabotage. Vessels of either Contracting Party sailing to ports of third countries for transporting cargo or passengers shall not be regarded as cabotage.

ARTICLE 6

The Contracting Parties shall mutually recognize the valid certificates issued in accordance with international conventions and other ship documents duly issued by the competent authority of the Contracting Party.

ARTICLE 7

The Contracting Parties shall recognize the identity documents of the Crew Members of the other Contracting Party, issued and recognized by their competent authorities. The said identity documents are:

(a) For Iranian Seafarers: Seaman's book.

(b) For Filipino Seafarers: Seaman's Identification Record Book.

ARTICLE 8

(a) The crew members when staying in the ports of waters of either Contracting Party, shall observe the applicable laws and regulations of the Contracting Party.

(b) Crew members of vessels of either Contracting Party shah" reciprocally be permitted to go ashore during the period of stay of their vessels in the ports of the other Contracting Party in accordance with its national laws and regulations.

(c) Crew members of vessels of either Contracting Party requiring medical treatment shall be allowed to remain in the territory of the other Contracting Party for the period of time necessary for such treatment in

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accordance with the laws and regulations of the Contracting Party.

(d) For the purpose of joining vessels, repatriation or any other reason acceptable to their respective competent authorities, crew members of vessels of either Contracting Party may enter the territory or travel through the territory of the other Contracting Party after completing necessary formalities in accordance with the laws and regulations of the latter Contracting Party.

(e) Either Contracting Party has the right to refuse any crew member entering its territory in accordance with its laws and regulations, even, though they hold crew member identity documents mentioned in Article 7.

ARTICLE 9

(a) Should vessels of either Contracting Party be involved in shipping casualties in the territorial waters or ports of the other Contracting Party, the latter shall give all possible assistance to the vessels, crew members, cargoes and passengers.

(b) Each Contracting Party shall promptly notify the consular officials or in their absence the diplomatic representatives of the Contracting Party, when its vessels are in distress, and inform them of measures taken for the rescue and protection of the crew members, passengers, vessels, cargo and stores.

(c) The provisions of this Article shall not prevent the right of making claims related to help and assistance according to a contract rendered to a vessel, that its crew, passengers, cargo and property on board which have undergone damage.

ARTICLE 10

The proceeds accruing from shipping services or other related services rendered by one Contracting Party to the other Contracting Party shall be effected according to its national laws and regulations.

ARTICLE 11

The Contracting Parties shall adopt, within the limits of their laws and regulations, all appropriate measures to facilitate and expedite the turn-round of vessels, to prevent unnecessary delays, and to expedite and simplify customs and other formalities required at ports.

ARTICLE 12

The provisions of this Agreement shall not limit the right of either Contracting Party to take measures for its security, protection of its environment and public health or the prevention of disease and pest in animals and plants.

ARTICLE 13

In order to implement this Agreement both Contracting Parties shall encourage their national shipping lines to enter into a bilateral arrangement on the carriage of seaborne cargo.

ARTICLE 14

(a) In the spirit of close cooperation, the Contracting Parties shall consult each other periodically in order to:

1. Discuss and improve the conditions for the implementation of this Agreement;

2. Propose and coordinate possible amendments to this Agreement;

3. Set up a joint commission for the purpose of efficient control of this Agreement, its development and reciprocal cooperation. The commission shall meet at the request of either Contracting Party.

(b) In comformity with paragraph (a) of this article, the Contracting Parties shall propose, through diplomatic channels, the holding of consultations, between the competent maritime authorities of the two countries, which shall begin not later than sixty (60) days as from the date of the relevant proposal.

ARTICLE 15

(a) The Contracting Parties shall actively promote the development of the economic and trade relationship between their respective Governments through merchant shipping cooperation.

(b) The Contracting Parties agree that favorable conditions will be given to the shipping lines of either Contracting Party for the establishment of their representative offices in the territory of the other Contracting Party.

ARTICLE 16

Disputes concerning the interpretation or implementation of this Agreement shall be settled amicably through consultations and diplomatic negotiations between the competent authorities of the Contracting Parties.

ARTICLE 17

(a) This Agreement shall enter into force on the date of the last notification by either Contracting Party that it has completed necessary legal procedures.

(b) This Agreement shall remain in force for a period of five (5) years and shall continue to be in force thereafter for another period of five (5) years and so forth unless either Contracting Party notifies in writing of its intention to terminate or amend this Agreement, six months prior to its expiration to the other Contracting Party.

(c) This Agreement may be amended at any time, if it deems necessary, by mutual consent.

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

Done at Manila, Philippines on 08 October 1995 (Mehr, 16, 1374) in duplicate, in the Persian language and English language, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

(Sgd.)

(Sgd.)

FOR THE GOVERNMENT OF THE
REPUBLIC Of THE PHILIPPINES

FOR THE GOVERNMENT OF
ISLAMIC REPUBLIC OF IRAN

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