No. 3500

BELGIUM, FRANCE, PORTUGAL, FEDERATION OF RHODESIA AND NYASALAND, UNION OF SOUTH AFRICA and UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Phyto-Sanitary Convention for Africa South of the Sahara. Signed at London, on 29 July 1954

Official texts: English and French.

Registered by the United Kingdom of Great Britain and Northern Ireland on 29 August 1956.

BELGIQUE, FRANCE, PORTUGAL, FÉDÉRATION DE LA RHODÉSIE ET DU NYASSALAND, UNION SUD-AFRICAINE et ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD

Convention phytosanitaire pour l'Afrique au sud du Sahara. Signée à Londres, le 29 juillet 1954

Textes officiels anglais et français.

Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 29 août 1956.

No. 3500. PHYTO-SANITARY CONVENTION[1] FOR AFRICA SOUTH OF THE SAHARA BETWEEN THE GOVERNMENTS OF THE KINGDOM OF BELGIUM, THE FRENCH REPUBLIC, THE PORTUGUESE REPUBLIC, THE FEDERATION OF RHODESIA AND NYASALAND, THE UNION OF SOUTH AFRICA AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND. SIGNED AT LONDON, ON 29 JULY 1954

The Governments of the Kingdom of Belgium, the French Republic, the Republic of Portugal, the Federation of Rhodesia and Nyasaland, the Union of South Africa and the United Kingdom of Great Britain and Northern Ireland :

Considering that all possible steps should be taken :

(*a*) to prevent the introduction of diseases, insect pests and other enemies of plants into any part of Africa south of the Sahara;

(*b*) to eradicate or control them in so far as they are present in the area;

(*c*) and to prevent their spread;

Having regard to the need for full co-operation to this end with the Commission for Technical Co-operation in Africa South of the Sahara;

Recognising the usefulness of the co-operation provided for in the International Plant Protection Convention signed at Rome on December 6, 1951[2] and the need for the co-ordination of activities in this field;

Have agreed as follows :

Article 1

The present Convention shall apply to any metropolitan territories of the Governments party to the present Convention (hereinafter referred to as " Participating Governments ") which are situated in Africa to the south of the Sahara

[1] In accordance with article 12, the Convention came into force on 15 June 1956, the date of deposit of the fourth instrument of ratification in respect of the following signatory states on behalf of which the instruments of ratification where deposited with the Government of the United Kingdom of Great Britain and Northern Ireland on the dates indicated :

Federation of Rhodesia and Nyasaland	27 July	1955
France	15 June	1956
Union of South Africa	3 November	1955
United Kingdom of Great Britain and Northern Ireland	14 December	1954

The Convention came subsequently into force, in respect of Belgium, on 16 July 1956, the date of deposit of the instrument of ratification.

[2] United Nations, *Treaty Series*, Vol. 150, p. 67; Vol. 161, p. 372; Vol. 172, p. 391; Vol. 173, p. 411; Vol. 175, p. 370; Vol. 186, p. 346; Vol. 193, p. 360; Vol. 196, p. 354; Vol. 199, p. 348; Vol. 201, p. 379; Vol. 202, p. 338; Vol. 203, p. 337; Vol. 204, p. 390; Vol. 207, p. 356; Vol. 209, p. 347; Vol. 211, p. 419; Vol. 214, p. 374; Vol. 220, p. 384; Vol. 241, p. 492; Vol. 247, p. 400, and Vol. 248, p. 370.

and to the other territories within that area for whose international relations any of the Participating Governments are responsible.

PERMANENT COMMISSION

Article 2

(*a*) There shall be set up a permanent commission (hereinafter referred to as " the Commission "), to be known as the Inter-African Phyto-Sanitary Commission on which each of the Participating Governments shall be represented and shall exercise one vote.

(*b*) The Commission shall determine its own procedure by a majority vote.

(*c*) The Commission shall seek such information and shall recommend such action as will lead to the fulfilment of the objects of the present Convention.

(*d*) The Commission shall meet at least once a year and at other times when requested so to do by any two of the Participating Governments.

(*e*) Any proposal supported by the votes of not less than two-thirds of the Participating Governments shall be deemed to be carried. Such votes shall be given at a meeting of the Commission or shall be communicated in writing when a proposal has been submitted to the Participating Governments other than at a meeting.

Article 3

The Commission shall appoint a Scientific Secretary whose duties shall be as follows :

(*a*) To ensure liaison between the Commission, the Participating Governments, and the Commission for Technical Co-operation in Africa South of the Sahara;

(*b*) To prepare an annual report on the work of the Commission, and on his scientific, administrative and financial activities; to submit this report to the Commission for its approval; and to send copies of the approved report to Participating Governments, and the Secretariat of the Commission for Technical Co-operation in Africa South of the Sahara;

(*c*) To transmit to the Commission any observations received on the annual report;

(*d*) To represent the Commission on the Permanent Committee of Information established under Article 9 of the present Convention and at any international meetings at which the Commission deems his presence desirable.

MEASURES OF PROTECTION

Article 4

Each Participating Government shall undertake to exercise at least such control of plant imports as the Commission shall consider to be necessary, and shall take such legislative or administrative measures as may be required for this purpose.

Article 5

Each Participating Government shall take such measures of quarantine, certification or inspection, or such other measures as may be considered necessary by the Commission in respect of any plants, plant material, seed or packing material (including containers) the importation of which has been considered by the Commission to constitute a threat to agriculture in any part of the area defined in Article 1 of the present Convention.

Article 6

Each Participating Government shall prohibit, for such period of time as the Commission may propose, the importation of any plant, plant material, seed or packing material (including containers) which the Commission has considered shall be refused admittance into the area defined in Article 1 of the present Convention.

Article 7

Each Participating Government shall take such action as may be desirable to deal effectively with diseases, insect pests and other enemies of plants which the Commission considers have become, or are likely to become, a serious danger in territories within the area defined in Article 1 of the present Convention.

Article 8

Nothing in the foregoing Articles of the present Convention shall prevent any Participating Governments from importing into the area defined in Article 1 of the present Convention, under adequate safeguards and for scientific purposes, small quantities of plants, plant material or seeds without prior reference to the other Participating Governments. Participating Governments shall however inform the Commission of each importation of otherwise prohibited plants, plant material or seeds which is made, and the Commission shall so inform all other Participating Governments.

PERMANENT COMMITTEE OF INFORMATION

Article 9

(*a*) There shall be established in London a Permanent Committee of Information which shall consist of the Directors of the Commonwealth Institute of Entomology and the Commonwealth Mycological Institute and of the Scientific Secretary of the Commission appointed under Article 3 of the present Convention, who shall also act as Secretary of the Committee.

(*b*) The Permanent Committee of Information shall act as an intermediary between the Institutes referred to in paragraph (*a*) of this Article and the Commission for the transmission of relevant information regarding the type, nature

and extent of diseases, insect pests and other enemies of plants inside and outside the area defined in Article 1 of the present Convention and shall supply the Commission with such information as it may require.

(*c*) Members of the Permanent Committee of Information, may, in that capacity and for the ends of the present Convention, correspond directly on scientific subjects with the specialists of the territories defined in Article 1 of the present Convention.

(*d*) The Scientific Secretary of the Commission shall have access to the Institutes referred to in paragraph (*a*) of this Article and, pursuant to an agreement to be concluded between the Executive Council of the Commonwealth Agricultural Bureaux and the Commission, shall report to the Commission on the work carried on in those Institutes in relation to this Convention.

(*e*) The Permanent Committee of Information shall endeavour to arrange for the exchange of information with the World Reporting Service on plant diseases and pests which is to be established in accordance with the provisions of Article VII of the aforesaid International Plant Protection Convention.

FINANCE

Article 10

(*a*) Each Participating Government shall contribute towards the cost of the Secretariat of the Commission and towards the cost of the work carried out by the Institutes referred to in Article 9 of the present Convention pursuant to the agreement to be concluded between the Executive Council of the Commonwealth Agricultural Bureaux and the Commission.

(*b*) The total annual cost, which shall be contributed by the Participating Governments, is fixed at £5,000 until such time as they otherwise agree. The Government of the Federation of Rhodesia and Nyasaland and any Government which accedes to this Convention under Article 11 shall contribute one-half of the amount contributed by each of the other Participating Governments which shall contribute in equal parts.

(*c*) Payment shall be made to the account of the Commission in London. The first payment shall be made within one month of the date of entry into force of the present Convention by those Governments which have, at that date, already deposited their instruments of ratification, and within one month of the date of the deposit of the instrument of ratification or notification of accession by those Governments which subsequently ratify or accede to the Convention. Subsequent payments shall be made on the corresponding date in each succeeding year.

MISCELLANEOUS PROVISIONS

Article 11

Any Government which is not a signatory to the present Convention may at any time after the Convention has entered into force in accordance with paragraph (*b*) of Article 12 accede thereto in respect of its metropolitan territory or any territory or territories for whose international relations it is responsible, situated in Africa to the south of the Sahara, by means of a notification in writing to the Government of the United Kingdom. The Government of the United Kingdom shall inform the other Governments party to the present Convention of each accession notified to them and the Convention shall apply to the territory or territories named in the notification from the date of its receipt by the Government of the United Kingdom.

Article 12

(*a*) The present Convention shall be ratified by the signatory Governments, and the instruments of ratification shall be deposited in the archives of the Government of the United Kingdom, which shall notify the other signatory Governments of the date of deposit of each instrument of ratification and of the date on which the present Convention enters into force in accordance with paragraph (*b*) of this Article.

(*b*) The present Convention shall enter into force on the date of deposit of the fourth instrument of ratification. In respect of any signatory Government ratifying subsequently the Convention shall enter into force on the date of the deposit of its instrument of ratification.

Article 13

(*a*) This Convention may be denounced by any Participating Government after the expiration of one year from the date of its entry into force in respect of that Government by a notification in writing addressed to the Government of the United Kingdom. The denunciation shall take effect one year after the date of the receipt of the notification by the Government of the United Kingdom.

(*b*) The Government of the United Kingdom shall inform the other Participating Governments of each such denunciation and of the date of the receipt thereof.

Article 14

If at any time at least half of the Participating Governments have denounced this Convention in accordance with Article 13 of the present Convention, the Commission shall be dissolved, the records shall be lodged at the Commonwealth Institute of Entomology, and the funds shall be divided *pro rata* according to their annual contributions between such remaining Participating Governments as have made all annual contributions due under Article 10 (*b*) of the present Convention.

IN WITNESS WHEREOF the undersigned, duly authorised thereto by their respective Governments, have signed the present Convention.

DONE at London the 29th day of July, 1954, in the English and French languages, both texts being equally authoritative, in a single copy which shall be deposited in the archives of the Government of the United Kingdom by whom certified copies shall be transmitted to all the other signatory and acceding Governments.

For the Government of the Kingdom of Belgium :

Pour le Gouvernement du Royaume de Belgique :

Marquis DU PARC LOCMARIA

For the Government of the French Republic :

Pour le Gouvernement de la République Française :

R. MASSIGLI

For the Government of the Republic of Portugal :

Pour le Gouvernement de la République du Portugal :

Pedro Theotónio PEREIRA

For the Government of the Federation of Rhodesia and Nyasaland :

Pour le Gouvernement de la Fédération de la Rhodésie et du Nyassaland :

G. M. RENNIE

For the Government of the Union of South Africa :

Pour le Gouvernement de l'Union de l'Afrique du Sud :

C. H. TORRANCE

For the Government of the United Kingdom of Great Britain and Northern Ireland :

Pour le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :

Selwyn LLOYD