

No. 11342

**FRANCE
and
DAHOMY**

Agreement on the movement of persons (with exchange of notes dated on 12 and 18 February 1971). Signed at Cotonou on 12 February 1971

Authentic text : French.

Registered by France on 21 September 1971.

**FRANCE
et
DAHOMY**

Convention sur la circulation des personnes (avec échange de notes en date des 12 et 18 février 1971). Signée à Cotonou le 12 février 1971

Texte authentique : français.

Enregistrée par la France le 21 septembre 1971.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE
FRENCH REPUBLIC AND THE GOVERNMENT OF
THE REPUBLIC OF DAHOMEY ON THE MOVEMENT
OF PERSONS

The Government of the French Republic and the Government of the Republic of Dahomey, desiring to establish, in the common interest, regulations relating to the movement of French and Dahomean nationals between the two countries, have agreed on the following provisions:

Article 1

In order to enter the territory of the Republic of Dahomey, French nationals, whatever their country of residence, must be in possession of a national identity card or a passport whose validity has not expired or has expired less than five years previously and of the compulsory international vaccination certificates required by the legislation in force in Dahomey, and must provide a guarantee of repatriation.

Article 2

In order to enter the territory of the French Republic, Dahomean nationals, whatever their country of residence, must be in possession of a national identity card or a passport whose validity has not expired or has expired less than five years previously and of the compulsory international vaccination certificates required by the legislation in force in France, and must provide a guarantee of repatriation.

Article 3

Any of the following four documents shall constitute a guarantee of repatriation:

- (1) An individual and non-transferable circular or return travel ticket, valid for one year, in respect of transit or stays not exceeding three months;

¹ Came into force on 1 April 1971, the first day of the second month following the date of its signature, in accordance with article 7.

- (2) A receipt for a deposit, issued by the Deposit and Consignment Office in Paris in respect of French nationals, and by the Dahomey Treasury in respect of Dahomean nationals. The uniform rate for such deposits shall be established on the basis of the Paris–Cotonou economy class air fare;
- (3) A certificate of exemption from payment of a deposit issued by the competent administrative authorities of the State of origin; in such an event, the cost of repatriation shall be borne by the Government of the State of origin, which must take the necessary measures in that regard as soon as it has been notified, through the diplomatic channel, of the decision concerning repatriation;
- (4) A statement from a banking establishment recognized by the State of origin guaranteeing the repatriation of the person concerned if he should be unable to bear the cost of repatriation himself.

Article 4

The following persons shall not be required to provide a guarantee of repatriation:

- (1) Civilian and military officials, officers and employees of the public institutions of each State and their families who have a mission order or travel warrant;
- (2) Members of Parliament and statesmen of the two countries;
- (3) Diplomatic and consular officials;
- (4) Students and trainees designated by their Government and travelling from one State to the other in order to receive training;
- (5) Seamen, in the circumstances specified in article 6 of this Agreement.

Article 5

Nationals of each country wishing to engage in paid professional activity in the territory of the other country must also, in order to be admitted to the territory of that country, prove that they are in possession of:

- (1) A medical certificate issued:

In respect of entry into France, by the competent French Consul, after an examination by a doctor approved by the Consul, in agreement with the Dahomean health authorities; this certificate shall be issued in accordance with the regulations concerning the entry of workers into France;

In respect of entry into Dahomey, by the competent Dahomean Consul, after an examination by a doctor approved by the Consul, in agreement with the French health authorities; this certificate shall be issued in accordance with the regulations concerning the entry of workers into Dahomey.

Such certificates shall be drawn up within the two months preceding the date of departure.

(2) A written contract of employment bearing the stamp of the Ministry of Labour of the State in which the place of employment is situated.

It shall be the responsibility of the employer to have the contract stamped by the Ministry of Labour. The Ministries of Labour of the two countries may consult each other directly.

Article 6

On presentation of their professional seaman's book and the statutory vaccination certificates, Dahomean seamen shall be authorized to enter France and French seamen to enter Dahomey if they hold:

—A certificate of permanent employment in a shipping company; or

—Articles of agreement in proper form; or

—A letter in which their immediate embarkation on a particular vessel is guaranteed by a shipping company or by a shipowner who is established in one of the two States.

This requirement may be fulfilled by the issuance of a transportation requisition submitted by the competent shipping authority.

Dahomean seamen landing in France and French seamen landing in Dahomey for any reason (except disciplinary or penal) may freely stay in one of the two States for a period of one month from the day following the date of landing, which shall be duly noted in their professional seaman's book by the competent authority. After this period, or if the date of landing is not noted in the seaman's book, the seaman may be repatriated at any time by the competent authorities of the State of landing, at the expense of the last employer.

Article 7

This Agreement shall enter into force on the first day of the second month after the date of its signature.

It is concluded for one year from the date of its entry into force. It shall be renewed by tacit agreement each year, unless denounced by one of the

Parties; notice of such denunciation shall be given to the other Party three months before the expiry of the annual term.

DONE at Cotonou, on 12 February 1971, in duplicate.

For the Government
of the Republic of Dahomey:

For the Government
of the French Republic:

[*Signed*]

[*Signed*]

DR. DAOUA BADAROU
Minister for Foreign Affairs

LOUIS DELAMARE
Ambassador of France

EXCHANGE OF NOTES

I

FRENCH EMBASSY IN DAHOMEY

No. 48/C1/AD

The French Embassy presents its compliments to the Ministry of Foreign Affairs and has the honour to refer to the last paragraph of article 3 (2) of the Agreement on the movement of persons, signed on 12 February 1971, which states that the uniform rate for repatriation deposits shall be established on the basis of the Paris-Cotonou economy class air fare.

The French Embassy accordingly suggests that, until further notice, the rate for deposits shall be 77,050 francs CFA, or 1,541 French francs.

In the event of a change in the air tariffs, there will be a further exchange of notes.

The French Embassy would be grateful if the Ministry of Foreign Affairs would inform it whether the Dahomean Government agrees to this proposal.

If so, this note and the reply from the Ministry of Foreign Affairs shall constitute an agreement between the two Governments on this matter.

The French Embassy takes this opportunity, etc.,

Cotonou, 12 February 1971.

Ministry of Foreign Affairs
of the Republic of Dahomey
Cotonou

II

REPUBLIC OF DAHOMEY

MINISTRY OF FOREIGN AFFAIRS

Administrative and Consular Affairs Section

No. 0790/MAE/AAC/3

The Ministry of Foreign Affairs of the Republic of Dahomey presents its compliments to the French Embassy and has the honour to acknowledge receipt of its note No. 48/C1/AD of 12 February 1971 concerning the last paragraph of article 3 (2) of the Agreement of the movement of persons, signed on 12 February 1971, which states that the uniform rate for repatriation deposits shall be established on the basis of the Paris-Cotonou economy class air fare.

The Ministry of Foreign Affairs wishes to inform the Embassy that the Dahomean Government agrees to its suggestion that, until further notice, the rate shall be 77,050 francs CFA, or 1,541 French francs.

In the event of a change in the air tariffs, there will be a further exchange of notes.

The Ministry of Foreign Affairs takes this opportunity, etc.,

Cotonou, 18 February 1971.

French Embassy
Cotonou
