

No. 11718

**FRANCE
and
MADAGASCAR**

**Agreement on co-operation in matters concerning the merchant
marine. Signed at Tananarive on 27 June 1960**

Authentic text : French.

Registered by France on 19 April 1972.

**FRANCE
et
MADAGASCAR**

**Accord de coopération en matière de marine marchande. Signé à
Tananarive le 27 juin 1960**

Texte authentique : français.

Enregistré par la France le 19 avril 1972.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON CO-OPERATION IN MATTERS CONCERNING THE MERCHANT MARINE BETWEEN THE FRENCH REPUBLIC AND THE MALAGASY REPUBLIC

The Government of the French Republic and the Government of the Malagasy Republic,

Considering that under the terms of the joint declaration of 26 June 1960 the Malagasy Republic has attained independence, and that the French Republic has recognized it as an independent and sovereign State,

Considering that the Malagasy Republic wishes to co-operate with the French Republic within the Community, in which it shall henceforth participate as provided for in the Franco-Malagasy agreements of today's date,²

Desiring to ensure effective co-operation in shipping matter,

Have agreed as follows :

TITLE I

REGIME OF OPERATION OF VESSELS

Article 1

In order to obtain the nationality of one of the two States, a vessel must :

- (a) Be at least half-owned by nationals of that State or be owned by a company or partnership of which the head office is situated in that State, the manager or managers, chairman of the board of directors and a majority of the members of the said board are nationals of that State and, in addition, in the case of partnerships or private limited-liability companies, at least one half of the capital is owned by that State or by public authorities or nationals of that State;
- (b) Have a complement of officers and crew composed of nationals of that State, entirely in the case of officers and in a minimum proportion of 75 per cent in the case of the crew. If it is duly established that this condition cannot be fulfilled, the two Governments shall, by mutual consent, agree to the necessary exceptions.

¹ Came into force on 18 July 1960, the date of the last of the communications by which each of the Contracting Parties notified the other of the completion of the procedures required by its Constitution, in accordance with article 10.

² See pp. 241, 247, 273, 291, 299, 335, 343, 357 and 363 of this volume.

Article 2

For the purposes of article 1 above, nationals of each State shall be assimilated to nationals of the other State.

Article 3

Vessels having the nationality of one of the States shall enjoy, in the ports, territorial waters and reserved waters of the other State, the same treatment as vessels of that State with regard to fishing and passenger and freight transport, as well as customs formalities, the collection of port dues and taxes and all facilities granted for operations in ports.

Article 4

The joint organization of fishing ventures and the establishment of procedures for marketing the products of these ventures shall be decided by a Technical Commission composed of officials of the two States, in equal numbers on each side. Each State shall make the necessary arrangements to ensure compliance with decisions of the Commission.

TITLE II

CO-OPERATION IN MATTERS CONCERNING THE MERCHANT MARINE

Article 5

Before any technical international conference of interest to them, the French Government and the Malagasy Government shall consult together for the purpose of informing each other of and harmonizing their respective positions.

Article 6

The French Republic shall assist the Malagasy Republic, at its request, in the training of Malagasy technicians, who may, *inter alia*, be admitted to the specialized technical schools of the French Republic.

The French Republic shall make available as necessary to the Malagasy Republic merchant marine administrative personnel.

Article 7

The French Republic shall assist the Malagasy Republic, at its request, in defining and formulating its shipping programmes and in studying the economic and technical problems involved in establishing operational programmes, shipping rates and shipping infrastructures of interest to both States.

Article 8

The French Republic and the Malagasy Republic shall consult together as necessary in order to harmonize their technical regulations.

Article 9

The French Republic shall support the application of the Malagasy Republic for membership in the Inter-Governmental Maritime Consultative Organization (IMCO).

Article 10

Each of the Contracting Parties shall notify the other of the completion of the procedures required by its Constitution for the entry into force of this Agreement. The Agreement shall take effect on the date of the later notification.

DONE at Tananarive, on 27 June 1960.

For the Government
of the French Republic :
J. FOYER

For the Government
of the Malagasy Republic :
[P. TSIRANANA]