

No. 15048

**FRANCE
and
SPAIN**

**Agreement concerning oceanographic co-operation. Signed
at Madrid on 11 December 1975**

Authentic texts: French and Spanish.

Registered by France on 12 October 1976.

**FRANCE
et
ESPAGNE**

**Accord en matière de coopération océanologique. Signé à
Madrid le 11 décembre 1975**

Textes authentiques : français et espagnol.

Enregistré par la France le 12 octobre 1976.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH
REPUBLIC AND THE GOVERNMENT OF THE SPANISH STATE
CONCERNING OCEANOGRAPHIC CO-OPERATION

The Government of the French Republic and the Government of the Spanish State,

Desiring to initiate co-operation between the two States to facilitate, on the one hand, oceanographic study of the Bay of Biscay and of the formation of its basin and of the dynamics of its waters, and to contribute, on the other hand, to better use of the natural resources present in the respective maritime areas established by the two Conventions of 29 January 1974 which delimit the territorial sea and the contiguous zone,² and the continental shelves³;

Considering, moreover, that article 3 of the Convention on the delimitation of the continental shelves of the two States in the Bay of Biscay of 29 January 1974 determines the limits of a vast zone of the sea-bed in which the Contracting States undertake to promote exploitation on the basis of equal division of their resources and of equal participation and financing of projects in proportion to their respective interests;

In view of the fact that scientific co-operation between the two States will also lead to more extensive and earlier knowledge of the oceanographic conditions in the Mediterranean Sea and of physical and geological variables, while facilitating the exploitation of existing resources (living and non-living);

Have agreed on the following provisions in implementation of articles 1 and 2 of the Supplementary Agreement⁴ to implement article VI of the Agreement on cultural, scientific and technical co-operation of 7 February 1969⁵:

Article 1. I. This Agreement shall apply to the whole of the zones in which the two States exercise exclusive rights.

II. The oceanographic co-operation provided for in this Agreement shall take place primarily in the following fields:

1. Research into fundamental oceanography or that relevant to any exploration or exploitation of marine resources (living or non-living).
2. Scientific activity aimed at evaluating existing resources and discovering new resources.
3. Studies aimed at preventing pollution of the sea in the zones referred to in paragraph 1, and, should the occasion arise, at reducing to a minimum the effects of any accidental pollution.
4. Methods of work leading to rational development of the littoral to avoid its uncontrolled industrialization likely to impair such development.

¹ Came into force on 11 December 1975 by signature, in accordance with article 9.

² United Nations, *Treaty Series*, vol. 996, No. 1-14592.

³ *Ibid.*, No. 1-14591.

⁴ *Ibid.*, vol. 1057, No. 1-15957.

⁵ United Nations, *Treaty Series*, vol. 746, p. 117.

5. Aquaculture, in successive phases (from semi-farming to the artificial insemination of different species in different environments).
6. Geological surveying of the zones in which the two States exercise exclusive rights.
7. The exchange of students and scientific and technical staff and their participation in conferences, symposia, seminars, courses and other such activities.
8. The granting of all kinds of reciprocal facilities permitting scientific staff from one State to work in installations in the other on projects of common interest.
9. Greater co-ordination of the oceanographic policies of the two States to permit them to make use of each other's results, to complement their own efforts and to ensure the greatest possible efficiency in the use and protection of marine resources.

Article 2. Implementation of the co-operation provided for in article 1 shall be entrusted, in the case of Spain, to the Spanish Institute of Oceanography (IEO), and, in the case of France, to the National Centre for Maritime Exploitation (CNEXO).

Article 3. CNEXO and IEO shall exchange, at least three months before the end of each year, their general research programmes for the following year which involve the collection of oceanographic data or samples in the zones defined in article 1, paragraph 1, of the other State, which shall be invited to participate.

Such programmes shall be examined in detail and particularized by mutual agreement in the broadest spirit of co-operation in order to give rise, as far as possible, to joint operations. To be executed, they must be approved by the competent authorities in each State before the end of the year. Such approval shall constitute authorization in principle of the operations included in those programmes.

In unforeseeable or exceptional circumstances either State may, however, object to the execution of an operation, by conveying its decision before the beginning of that operation.

Article 4. CNEXO and IEO are authorized to exchange freely all oceanographic information obtained under their joint programmes of relevance to national programmes, to assist each other in the task of processing, calculating and analyzing such data, and to promote such meetings and exchanges of scientific and technical staff from the Institutions as may be deemed necessary.

Article 5. Under the programmes executed jointly by CNEXO and IEO, customs formalities to be observed in respect of any equipment which may be sent from one State to the other shall be limited to verification of the lists issued in quadruplicate by the Institutions, the requirement to submit a guarantee of temporary importation into the country concerned being waived.

Article 6. When the implementation of joint programmes requires visits by Spanish oceanographic vessels to French ports or visits by French oceanographic vessels to Spanish ports, such vessels shall enjoy the same facilities as those of the host country.

Article 7. CNEXO and IEO may, by prior agreement, authorize the exchange between French and Spanish ships of scientific and technical staff in the field of oceanography participating in joint programmes.

Article 8. Data obtained and the results of analysis of such data under joint programmes shall be exchanged as a matter of priority between the Institutions involved. The latter must seek the agreement of the two Governments before conveying to third parties any results of particular interest to either State.

Article 9. This Agreement is concluded for a period of five years and shall enter into effect on the date of signature. It shall be extended from year to year by tacit agreement, unless it is denounced by either Party, which must give notice six months before the Agreement is due to expire.

DONE at Madrid on 11 December 1975, in four copies, two in French and two in Spanish, both texts being equally authentic.

For the Government
of the French Republic:

[Signed]

ROBERT GILLET

For the Government
of the Spanish State:

[Signed]

PEDRO CORTINA
