

No. 16169

**FRANCE
and
SENEGAL**

**Convention on the future of the Direction des constructions
et armes navales (with annex). Signed at Paris on
29 March 1974**

Authentic text: French.

Registered by France on 29 December 1977.

**FRANCE
et
SÉNÉGAL**

**Convention sur l'évolution de la Direction des constructions
et armes navales (avec annexe). Signée à Paris le
29 mars 1974**

Texte authentique : français.

Enregistrée par la France le 29 décembre 1977.

[TRANSLATION — TRADUCTION]

CONVENTION¹ ON THE FUTURE OF THE DIRECTION DES CONSTRUCTIONS ET ARMES NAVALES BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF SENEGAL

The Government of the French Republic, on the one hand,
The Government of the Republic of Senegal, on the other hand,
Have agreed as follows:

Article I. Under article II of the Agreement on co-operation in defence matters,² the French Republic agreed to study jointly with the Republic of Senegal, and to facilitate, the conversion of the *Direction des constructions et armes navales* (DCAN) (Naval Construction and Weapons Board) at Dakar into a Franco-Senegalese agency. This Convention, drawn up in accordance with the provisions of the above-mentioned article, lays down the procedure for doing this.

Article II. Both Governments, aware of the interest both Parties have in the continued satisfactory operation of the industrial plant of the naval dockyard at Dakar, recognize that this requires that the conversion of DCAN be gradual and therefore agree that it shall take place in several stages.

A bilateral commission shall be established as soon as this Convention is signed. Its main function shall be to monitor the implementation of the Convention and to submit to both Governments such proposals as are necessary for determining the successive stages and procedures for implementing them.

The first stage is described below in article IV.

Article III. In accordance with the Agreement on co-operation in defence matters, the French Republic shall transfer to the Republic of Senegal ownership of the land and buildings of the DCAN at Dakar.

The French Republic shall retain ownership of the movable equipment and industrial plant.

Article IV. The first stage shall consist in the establishment of a marketing unit for DCAN activities other than those concerning the Senegalese and French navies.

The statute of and the procedures for establishing and operating the unit and for its relations with DCAN shall be drawn up by the bilateral commission and submitted by it to both Governments.

Only the Senegalese and French navies and the “marketing unit” shall be authorized to place orders with DCAN; the two navies shall have priority in the fulfilling of orders.

¹ Came into force on 1 September 1976, i.e., the first day of the second month following the date of exchange of the instruments of approval, which took place at Paris on 16 July 1976.

² United Nations, *Treaty Series*, vol. 1061, No. 1-16162.

Article V. In this initial stage of the conversion, the management of the dockyard facilities situated in the industrial zone described in the plan annexed to the Agreement on co-operation in defence matters shall remain the responsibility of the French Ministry of the Armed Forces (Naval Construction Department), which shall also manage the ancillary dockyard at Hann, which appears on the military property register as item 22/31.

The bilateral commission shall submit to both Governments the text of a convention defining the management arrangements and providing *inter alia* for the appointment of a Senegalese representative to the manager. The *status quo* shall be maintained pending the entry into force of that text.

Article VI. The French Ministry of the Armed Forces (Naval Construction Department) shall provide the necessary overseas military and civil service personnel and Government workers, whom it shall continue to manage. The basic function of this personnel shall be to participate in the gradual conversion of the dockyard, and to that end it shall be governed by the provisions of the annexed staff.

For its part, the Senegalese Government shall provide DCAN with suitable housing for this personnel.

Article VII. The bilateral commission established under article II shall be authorized, before and after the establishment of the marketing unit, to keep itself apprised of all management of DCAN and to submit to both Governments such observations as it deems appropriate.

Article VIII. The French Government undertakes to pursue as actively as possible, in co-operation with the Senegalese Government, the process of senegalization of managerial staff and workers, and the basic and advanced training of Senegalese personnel in specialized schools of the Armaments Division of the French Ministry of the Armed Forces.

Article IX. In order to promote the process of senegalization, and taking into account prevailing economic and industrial circumstances, the bilateral commission shall at a later date propose to both Governments procedures for gradually converting DCAN into a mixed agency. It shall in due course study the machinery and procedures for its establishment.

DONE at Paris on 29 March 1974.

For the Government
of the French Republic:

[Signed]

JEAN DE LIPKOWSKI
Secretary of State
to the Minister for Foreign Affairs

For the Government
of the Republic of Senegal:

[Signed]

ASSANE SECK
Minister for Foreign Affairs

A N N E X

CONCERNING STAFF REGULATIONS OF THE DIRECTION DES CONSTRUCTIONS
ET ARMES NAVALES

Article I. Pursuant to the provisions of article VI of the Convention on the future of the Direction des constructions et armes navales at Dakar, the French Ministry for the Armed Forces (Naval Construction Department) shall provide the French military and civilian personnel and Government workers required for the satisfactory operation of the industrial plant of the naval dockyard.

Article II. The French military personnel of DCAN shall have the status of members of French armed forces stationed in the territory of Senegal, as laid down in annex II of the Agreement on co-operation in defence matters.

Article III. The civilian personnel serving in the Direction des constructions et armes navales at Dakar shall maintain the rights and continue to be subject to the obligations laid down in their own staff regulations, as defined by the legislation and regulations in force in the French Republic with respect to such matters as promotion, performance reports, discipline, treatment by and hospitalization at the military health service, pension contributions and pension rights.

Article IV. In the exercise of their functions, this personnel shall be under the authority of the Naval Construction Department.

Article V. The civilian personnel of the Direction des constructions et armes navales shall incur civil and criminal liability in the event of violation of laws and regulations in force in Senegal when such violation is the result of misconduct on the part of the staff member concerned.

Article VI. Pursuant to the provisions of the Convention between the Republic of Senegal and the Government of the French Republic concerning the movement of persons, the Government of the Republic of Senegal guarantees that no charge shall be made for entry, departure and residence formalities to civilian personnel of DCAN and their families.

Article VII. The civilian personnel of DCAN shall be subject to provisions regarding taxes and customs duties of the Convention concerning personnel assistance¹ provided by the Government of the French Republic for the operation of the public services of the Republic of Senegal.

Article VIII. The Government of the Republic of Senegal shall provide free of charge suitable housing for the civilian and military personnel of DCAN. DCAN shall be responsible for distributing this housing among its personnel and for the cost of its upkeep. The Government of the Republic of Senegal, in allocating this housing, shall take into account the ranks and family situation of the French personnel of DCAN.

Article IX. The civilian personnel of the Direction des constructions et armes navales shall have access to the logistic support services (staff stores, mess, officers' and soldiers' clubs and social services) of the French armed forces as provided for in article XVII of annex II of the Agreement on co-operation in defence matters.

Article X. The civilian personnel of the Direction des constructions et armes navales shall refrain from any act which might embarrass either the Republic of Senegal or the French

¹ See p. 129 of this volume.

Republic. It shall be bound by professional secrecy in respect of facts and information which come to its knowledge in the exercise of its functions.

Article XI. The provisions of the present text shall be revised as necessary by agreement between the two Parties with a view to gradually adapting them to changes in the machinery of DCAN.

DONE at Paris on 29 March 1974.

For the Government
of the French Republic:

[*Signed*]

JEAN DE LIPKOWSKI
Secretary of State
to the Minister for Foreign Affairs

For the Government
of the Republic of Senegal:

[*Signed*]

ASSANE SECK
Minister for Foreign Affairs
