

**No. 16167**

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**FRANCE  
and  
SENEGAL**

**Convention concerning maritime fishing (with exchange of letters). Signed at Dakar on 16 September 1974**

*Authentic text: French.*

*Registered by France on 29 December 1977.*

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**FRANCE  
et  
SÉNÉGAL**

**Convention en matière de pêches maritimes (avec échange de lettres). Signée à Dakar le 16 septembre 1974**

*Texte authentique : français.*

*Enregistrée par la France le 29 décembre 1977.*

[TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> CONCERNING MARITIME FISHING BETWEEN THE  
GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOV-  
ERNMENT OF THE REPUBLIC OF SENEGAL

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

Having regard to the ties of friendship existing between the two countries,

Resolved to develop their relations in a spirit of mutual understanding and trust and of respect for their mutual interests in the maritime fishing sector,

Convinced of the need for a concerted effort by all countries to conserve fishing resources in the Middle Atlantic and South Atlantic Ocean,

Have agreed as follows:

*Article I.* The Government of the Republic of Senegal and the Government of the French Republic recognize this Convention as the instrument which shall henceforth govern their relations in questions of maritime fishing.

*Article II.* The Government of the Republic of Senegal shall grant fishing rights in the whole of the waters under Senegalese jurisdiction to vessels flying the French flag on the same terms as would apply to vessels of countries with which Senegal has concluded diplomatic agreements.

Except the cases specially authorized by the Senegalese authorities, fishing rights shall be granted to fishing vessels owned by French nationals which have adopted a Senegalese port, either temporarily or permanently, as their home or working port and which consequently unload their catches in Senegal.

*Article III.* French vessels authorized to fish in waters under Senegalese jurisdiction under the terms of this Convention shall be in possession of a fishing licence issued in conformity with the requirements laid down by the laws and regulations in force in Senegal.

*Article IV.* Sardine boats of French nationality which have chosen a Senegalese port, either temporarily or permanently, as their home or working port, whose officers and crews are made up of French and Senegalese nationals, and whose catches are unloaded in Senegal for delivery to locally-based enterprises, shall be granted a sardine-fishing licence in conformity with the laws and regulations in force in Senegal.

Fishing licences shall not be granted to freezer sardine boats.

*Article V.* French trawlers which have adopted a Senegalese port, either temporarily or permanently, as their home or working port, whose officers and crews are made up of French and Senegalese nationals and whose catches are unloaded in Senegal for delivery to locally-based enterprises shall be granted a trawling licence in conformity with the laws and regulations in force in Senegal.

<sup>1</sup> 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, in accordance with article XIV.

This licence shall be valid for the whole of the waters under Senegalese jurisdiction, beyond a limit of six nautical miles in the case of fresh fish trawlers, and beyond a limit of twelve nautical miles in the case of freezer trawlers. Those distances shall be measured from the limits established by Senegalese legislation.

*Article VI.* French tunny boats which have adopted a Senegalese port, either temporarily or permanently, as their home or working port, whose officers and crews are made up of French and Senegalese nationals and which operate during the Senegalese tunny-fishing season shall be granted a tunny-fishing licence in conformity with the laws and regulations in force in Senegal. That licence shall be valid for the whole of the waters under Senegalese jurisdiction.

*Article VII.* French freezer tunny boats whose home or working ports are not located in Senegal may obtain a tunny-fishing licence. Their owners shall pay a fee into the Senegalese Fishing Promotion Fund on the following terms:

- in the case of vessels operating during the Senegalese tunny-fishing season, the fee shall be assessed on the basis of the weight when unloaded of fish intended to supply the processing industries in Senegal, the amount of the fee being calculated on the basis of the relevant Senegalese regulations;
- in the case of vessels which elect not to unload their catches in Senegal during the period in question, the amount of the fee shall be double that calculated as prescribed in the paragraph above.

French shipowners wishing to obtain tunny-fishing licences shall place a deposit or security with the Fishing Promotion Fund.

*Article VIII.* Fish products unloaded in Senegal by vessels of either Senegalese or French nationality and processed by enterprises located in Senegal shall receive identical treatment upon entry into French customs territory.

*Article IX.* The Government of the French Republic shall offer the Government of the Republic of Senegal long-term credits on the most favourable terms.

The credits, guaranteed by the State of Senegal, shall be used to promote the development of industrial fishing enterprises and commercial fishing fleets in Senegal in which French fishing interests are represented.

The amount of the credits, how they shall be funded and repayment of terms shall be determined by specific agreements.

*Article X.* The Government of the French Republic and the Government of the Republic of Senegal undertake to promote co-operation between their two countries in the fishing sector by encouraging the establishment of joint stock companies and by offering subsidies to commercial fishing enterprises for the building of vessels in French shipyards, together with all appropriate financial facilities for the construction and equipping of such vessels.

*Article XI.* The two Governments undertake to take concerted action to preserve and conserve fishing resources, in order to strengthen international co-operation and safeguard their interests in the Middle and Eastern Atlantic.

*Article XII.* The Government of the French Republic and the Government of the Republic of Senegal agree that improving the competence and expertise of the people working in the maritime fishing sector is vital to their successful co-operation.

To that end, the Government of the French Republic shall facilitate the employment of Senegalese nationals in French establishments and shall supply qualified training officers to Senegalese establishments as a component of technical assistance.

*Article XIII.* A French-Senegalese Commission shall be established to monitor the problems arising in the two countries from co-operation in the fishing sector. The Commission shall meet at least once a year.

*Article XIV.* This Agreement replaces and abrogates the Agreement of 22 June 1960.

It is concluded for a period of two years and may be renewed automatically unless denounced by either of the Contracting Parties.

Notice of such denunciation shall be given through diplomatic channels at least six months in advance.

This Agreement shall enter into force on the first day of the second month following the exchange of instruments of ratification, which shall take place in Paris at the earliest possible date.

DONE at Dakar on 16 September 1974.

For the Government  
of the French Republic:

[Signed]

XAVIER DAUFRESNE DE LA CHEVALERIE  
Ambassador, Chief Representative of  
the French Republic to the Republic  
of Senegal

For the Government  
of the Republic of Senegal:

[Signed]

ASSANE SECK  
Minister for Foreign Affairs

## EXCHANGE OF LETTERS

### I

Dakar, 16 September 1974

Sir,

In the course of the negotiations on the elaboration of the French-Senegalese Convention concerning Maritime Fishing, signed this day, our delegations agreed to interpret the provisions of the Convention in the following manner:

(1) *Arrangements for the issuing of licences*

French vessels wishing to obtain a fishing licence in Senegal shall apply to the Senegalese Ministry for Fishing and Fisheries through the competent authority of the French Embassy.

The application shall be accompanied by a form in keeping with the model appended to this document. The form shall be duly filled out and signed by the shipowner and certified by the competent maritime authority designated by France.

Licences shall be issued and validated each year by the Senegalese authorities in conformity with the provisions of the French-Senegalese Convention concerning fishing and in accordance with the procedures established in the laws and regulations in force in Senegal.

The operators of fresh fish trawlers, sardine boats and tunny boats shall, at the time they take out their licences, provide a certified true copy of the contract which they have entered into with a company established in Senegal for the processing and marketing of fish products.

(2) *Personnel serving on French vessels having their home port in Senegal*

In application of articles IV, V, and VI of this Convention, the French Government shall grant the derogations provided for in the shipping labour code so as to ensure that the crews of vessels having their home or working port in Senegal, except for the officers, shall consist of Senegalese seamen.

(3) *Redeeming of deposits by tunny boats*

The deposit paid into the Fishing Promotion Fund by French freezer tunny boats holding a tunny-fishing licence, which do not operate during the Senegalese tunny-fishing season, shall be redeemed annually by reimbursement of the amount due.

The vessels shall make a declaration in Senegal of the volume of their catches in Senegalese waters.

(4) *Fees payable by French freezer tunny boats*

In application of article VII of the Convention, the portion of the fish caught in Senegalese waters which French freezer tunny boats shall be required to unload in Senegal to supply local processing industries shall be fixed by agreement between the Senegalese authorities and the French freezer tunny boat shipowners' association.

(5) *Use of the credit facilities available to Senegal*

The Government of the Republic of Senegal shall submit to the *Caisse Centrale de Coopération Economique* (Central Fund for Economic Co-operation), the financial agency designated by the French Government, projects in an amount not exceeding 30 million French francs (1.5 thousand million CFA francs), distributed over three years, designed to:

- (a) promote increased participation of Senegalese interests in industrial fishing enterprises and fishing fleets;
- (b) provide funding for investment operations in the fishing sector.

The projects shall be considered by the *Caisse Centrale de Coopération Economique* as a matter of priority and in the most favourable light.

In addition, under the Convention concerning Maritime Fishing, assistance of the same nature shall continue to be provided to the Senegalese Government in significant amounts in subsequent years.

The credits made available to the Government of Senegal shall be granted for a minimum period of ten years plus a repayment period of at least two years, with the possibility of extending those periods.

The rate of interest on credit granted to Senegal under the Convention shall be 5.5 per cent. Should the rate being applied by the *Caisse Centrale de Coopération Economique* to transactions of the type described above be higher, the French Government will take the necessary measures to bring it down to 5.5 per cent.

In addition, the French Government shall deposit with a financial agency designated by the Government of Senegal an amount constituting an underwriting fund, to enable the State of Senegal to obtain from financial institutions the funds with which to redeem shares in the industrial fishing enterprises and fishing fleets established in Senegal.

I should be grateful if you would inform me whether this interpretation of the French-Senegalese Convention concerning Maritime Fishing meets with your agreement.

Accept, Sir, the assurances of my highest consideration.

[Signed]

XAVIER DAUFRESNE DE LA CHEVALERIE  
Ambassador, Chief Representative of the French Republic  
to the Republic of Senegal

His Excellency Assane Seck  
Minister for Foreign Affairs  
of the Republic of Senegal

## II

Dakar, 16 September 1974

Sir,

I have the honour to refer to your letter of today's date, which reads as follows:

[See letter I]

I have the honour to inform you that the arrangements set forth in that letter meet with the agreement of the Senegalese Government.

Accept, Sir, the assurances of my highest consideration.

[Signed]

ASSANE SECK  
Minister for Foreign Affairs  
of the Republic of Senegal

His Excellency Xavier Daufresne de la Chevalerie  
Ambassador, High Representative of the French Republic

### *APPLICATION FORM FOR A LICENCE TO ENGAGE IN FISHING OPERATIONS*

#### APPLICANT

Surname and first name:

Date of birth:

Occupation:

Trade Register No.:

Trade name:

Number of employees:

Permanent:

Temporary:

Annual turnover:

Address:

#### VESSEL

Name:

Registration No.:

- Date and place of construction:  
Original nationality:  
Date of adoption of Senegalese flag:  
Length measurements:  
Width measurements:  
Gross registered tonnage:  
Net registered tonnage:  
Engine type and capacity:  
Number of seamen on board:  
Type of fishing engaged in:  
    A. Trawling:  
        Length of trawl:  
        Opening:  
        Dimension of bag meshes:  
        Dimension of wing meshes:  
    B. Sardine fishing:  
        Length of net:  
        Depth of net:  
    C. Tunny fishing:  
        Number of poles:  
        Length of net:  
        Number of fish-wells:  
        Volume of fish-wells:  
        Is live bait used?  
        Revolving seine?

Is the vessel a freezer boat?

    If so:

- Total refrigerator capacity:  
        Freezer capacity:  
        Storage capacity:

#### LAND INSTALLATIONS

Address and Permit No.:

Trade name:

Activity:

    Domestic fish trade:

    Commercial fishing:

Type and No. of fish monger's card:

Description of refrigeration facilities and technical installations:

Number of employees:

    Permanent:

    Temporary:

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Technical comments of the Director of Fisheries:

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Authorization of the Minister for Rural Development:

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