

**No. 16684**

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**FRANCE  
and  
BENIN**

**Agreement on co-operation in matters concerning the  
merchant marine. Signed at Cotonou on 27 February  
1975**

*Authentic text: French.*

*Registered by France on 11 May 1978.*

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**FRANCE  
et  
BÉNIN**

**Accord de coopération en matière de marine marchande.  
Signé à Cotonou le 27 février 1975**

*Texte authentique : français.*

*Enregistré par la France le 11 mai 1978.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON CO-OPERATION IN MATTERS CONCERNING  
THE MERCHANT MARINE BETWEEN THE GOVERNMENT  
OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF  
THE REPUBLIC OF DAHOMEY

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

*Article I.* The Contracting Parties reaffirm their commitment to the principle of freedom of commercial shipping and agree to refrain from any discriminatory actions in this field, for they are convinced that such actions are detrimental to the development of international trade.

*Article II.* The Contracting Parties agree:

- (a) to encourage Dahomean and French vessels to engage in the carriage of goods and passengers between the ports of the two countries and to refrain from preventing vessels registered in the other Contracting Party from engaging in the carriage of goods between the ports of their countries and those of third countries, subject to the legislation and regulations in force in the two countries;
- (b) to co-operate in eliminating obstacles liable to interfere with the development of ocean trade between the ports of the two countries and the various activities pertaining to such trade.

*Article III.* Each Contracting Party shall grant to vessels registered in the other Party the same treatment in its ports as that accorded to its own vessels with regard to the collection of port dues and taxes, as well as freedom of access to and use of its ports and all facilities granted for shipping and commercial operations with respect to vessels and their crews, passengers and freight. This provision refers, in particular, to the assignment of mooring berths and to loading and unloading facilities.

*Article IV.* The Contracting Parties, within the framework of their legislation and regulations governing ports, shall take the necessary steps to reduce, to the extent possible, the lay time of vessels in their ports and to streamline the administrative, customs and health formalities in force in those ports.

*Article V.* Subject to the provisions of the second and third paragraphs of this article, Dahomean seamen may be allowed on board French vessels and French seamen on board Dahomean vessels, without the provisions relating to the nationality of crew members being invoked.

On board vessels of both countries, however, the functions of shipmaster and radio officer may be exercised only by nationals of the country of registry

<sup>1</sup> Came into force on 1 January 1978, i.e., the first day of the second month following the exchange of instruments of approval, which took place at Paris on 18 November 1977, in accordance with article XI.

of the vessel, save in the case of special waivers. Such waivers shall be granted by the Government of one Party at the request of the Government of the other Party.

Dahomean seamen may serve on board French vessels and French seamen on board Dahomean vessels only if in other respects they satisfy the various other requirements, including professional skill, governing the exercise of the functions they are to perform on board those vessels.

Equivalence between French and Dahomean maritime training certificates may be established by agreement between the two Governments.

*Article VI.* As a temporary measure and pending the conclusion of a general agreement in matters of social security, French seamen serving on vessels of Dahomean registry and Dahomean seamen serving on vessels of French registry shall continue to receive the benefits provided by the Legislative Decree of 17 June 1938, as amended, and by the Code for Seamen's Retirement Pensions, in respect of French seamen, and by Ordinance No. 38/PR/MTPTPT of 18 June 1968, in respect of Dahomean seamen, subject to payment of the corresponding contributions.

*Article VII.* At the request of the Government of the Republic of Dahomey, the Government of the French Republic shall offer its help in the training of seamen and officers, who may be admitted to the merchant marine schools of the French Republic. The French Government shall facilitate the training of Dahomean seamen and officers to the fullest extent possible, *inter alia*, by allowing them to serve on board vessels of French registry and by providing instructions for trainees.

*Article VIII.* The Government of the Republic of Dahomey and the Government of the French Republic shall consult together, as required, in order to harmonize their technical regulations in matters concerning the merchant marine.

*Article IX.* With a view to the implementation of this Agreement and, in particular, to ensuring the optimum flow of traffic and operation of shipping lines, the Contracting Parties agree:

- to engage in consultations and exchange information through their bodies responsible for matters relating to the various aspects of ocean trade;
- to encourage contacts at the highest level between the official representatives of such competent services or bodies and between representatives of the private sector.

*Article X.* The terms and conditions for the implementation of this Agreement and disputes arising therefrom shall be settled by the main commission envisaged in article 3 of the General Agreement,<sup>1</sup> on the proposal of a specialized sub-commission.

*Article XI.* This Agreement replaces and abrogates the Agreement on co-operation in matters concerning the merchant marine of 24 April 1961.<sup>2</sup> It is concluded for a term of two years renewable by tacit agreement. Notice of

<sup>1</sup> United Nations, *Treaty Series*, vol. 1088, No. 1-16675.

<sup>2</sup> *Ibid.*, vol. 811, p. 219.

termination shall be given through the diplomatic channel 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 approval, which shall take place at Paris as soon as possible.

DONE at Cotonou on 27 February 1975.

For the Government of the French Republic:

*[Signed]*

PIERRE ABELIN  
Minister for Co-operation

For the Government of the Republic of Dahomey:

*[Signed]*

MICHEL ALLADAYE  
Minister for Foreign Affairs  
and Co-operation

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