

No. 19013

**FRANCE
and
EGYPT**

**Maritime Agreement (with exchange of letters). Signed at
Paris on 15 July 1975**

Authentic texts: French, Arabic and English.

Authentic text of the exchange of letters: French.

Registered by France on 24 July 1980.

**FRANCE
et
ÉGYPTE**

**Accord maritime (avec échange de lettres). Signé à Paris le
15 juillet 1975**

Textes authentiques: français, arabe et anglais.

Texte authentique de l'échange de lettres: français.

Enregistré par la France le 24 juillet 1980.

MARITIME AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT AND THE GOVERNMENT OF THE FRENCH REPUBLIC

The Government of the Arab Republic of Egypt and the Government of the French Republic,

Desirous to develop the friendly cooperation between the Arab Republic of Egypt and the French Republic in the field of shipping and maritime transport,

Have agreed the following:

Article 1. In this Agreement:

1. The term “ship of a Contracting Party” designates every ship flying the flag of that Party according to its legislation. This term does not include war ships.
2. The term “member of a ship’s crew” designates every person engaged on board the ship during the voyage, performing duties connected with the exploitation and maintenance of the ship and registered in the ship’s crew list.

Article 2. The present Agreement applies only on the territory of the A.R.E. on one part and the territory of the French Republic on the other part.

The provisions of this Agreement do not apply in so far as navigation in the Suez Canal is concerned, where the pertinent laws, rules, regulations and conventions in force are applicable.

Article 3. The Contracting Parties agree to refrain from any act of flag discrimination in shipping and maritime transport as well as from any act tending to the limitation of the free participation of the ships of the other Contracting Party in international maritime transport.

Article 4. The Contracting Parties agree:

- (1) To encourage French and Egyptian vessels to participate in the transport of cargoes between the two countries and not to object that vessels flying the other Contracting Party’s flag to effect transport of cargoes between their ports and ports of other countries.
- (2) To cooperate in order to eliminate obstacles which could affect the development of all maritime activities between the two countries.

The provisions of this article—which are in the mutual interest of the two countries—do not affect the rights of vessels flying the flag of other countries to effect the transport of cargoes between the ports of the two Contracting Parties.

Article 5. 1. Both Contracting Parties shall give each other assistance and support in building and extending their national merchant fleets, and in enlarging the capacities of their sea ports and of all facilities and installations used for transshipping goods and handling ships including all channel bounding and marking installation.

¹ Came into force on 15 November 1979, i.e., the date of the last of the notifications (effected on 5 August 1976 and 15 November 1979) by which the Parties informed each other of the completion of the required constitutional procedures, in accordance with article 22.

2. The realization of provisions of paragraph 1 shall require the conclusion of special agreements.

Article 6. 1. The Contracting Parties allow each other the utilization of their training institutions as well as of any other training facilities in the enterprises and institutions of maritime traffic and harbour operation. To this field belongs also the training of nautical and technical officers for the merchant fleet as well as of experts for all branches of maritime traffic and harbour operation, including the training of nautical and technical officers of the merchant marine of either of the Contracting Parties on the merchant vessels of the other Contracting Party.

2. The realization of provisions of paragraph 1 shall require conclusion of special agreements.

Article 7. The Contracting Parties are not to perform port services including pilot's services and towage in the ports, interior and territorial waters of the other Contracting Party or any operations of cabotage, refloating, salvage and assistance which are reserved to the national flag.

It shall not be considered as cabotage operations if a ship of one Contracting Party in order to discharge cargoes brought from abroad or to load cargoes destined to another country.

Article 8. Each Contracting Party will ensure the ships flying the other Contracting Party's flag the same treatment which their own vessels enjoy in respect of collection port charges and dues as well as the right of entering into and using their respective ports, also all facilities which are granted to navigation and commercial ships operations.

Article 9. The two Contracting Parties within their legislation and port regulations will take the necessary measures in order to simplify the accomplishment of administrative formalities, custom and sanitary formalities in force in their ports.

The most favoured nation treatment shall be accorded in connection with those formalities.

Article 10. Each Contracting Party will recognize the nationality of the ship of the other Contracting Party on the basis of the documents aboard the ship, issued by the competent authorities, in compliance with the legal provisions of the Contracting Party under whose flag the ship sails.

Article 11. Each Contracting Party will recognize all the documents aboard concerning the construction of the ship, its equipment and crew, bill of tonnage and any other certificates and documents issued by the competent authorities in compliance with the legal provisions of the Contracting Party under whose flag the ship sails.

The calculation of the measurements of capacity of the two Contracting Parties' ships is made according to the laws, rules and regulations as applied in the ports of call of each of the two Contracting Parties.

Article 12. The two Contracting Parties shall mutually recognize the seamen's identity documents issued by the competent authorities of the State under whose flag the ship sails. These documents are "*livret professionnel maritime*", as far as the French Republic is concerned, and "seamen's passport", as far as the Arab Republic of Egypt is concerned (as per specimen attached).

Article 13. The seamen in possession of identity documents as provided in article 12 of the present Agreement will have access — without visa — to land and stay in the port town territory for the period of the ship's stay in this port, as far as they are registered in the ship's crew list and the list submitted to Port Authorities.

During their stay ashore and their return on board, these seamen must adhere to appropriate regulations.

Article 14. A crew member, holder of identity documents mentioned in article 12, has access to land in the territory of the other Contracting Party for health reasons or other recognized reasons.

The competent authorities will in case of hospitalization authorize him to stay in their country until either return to his country or to join another port for embarkment.

For navigation purposes the master of a ship lying in the port of the other Contracting Party or crew member designated by him are authorized to visit the employees of the consulate of their country or owners, charters of vessel representative.

Article 15. The two Contracting Parties agree that they have the right to prevent any person in possession of the seamen's passport mentioned in article 13 from entering the country in case this might conflict with the laws and regulations of his country.

Article 16. 1. The legal authorities of either Contracting Party could not be intimidated with conflicts arising between the captain and any member of the crew on board the ship belonging to the other Contracting Party, regarding wages, employment contract, unless at the request or consent of the consul of the country to which the vessel's nationality depends.

2. During the stay of a ship of one of the Contracting Parties in the port of the other Contracting Party, the local administrative and legal authorities will only intervene in conflicts arising on board in the following cases:

- (a) If such demand for intervention is requested by the consul or with his consent;
- (b) If the conflict or its consequences have any effect on the discipline or public order ashore or in the port, or any effect on public security;
- (c) If foreigners are involved in the conflict.

3. The provisions of this article do not apply in case the respective conflicts contravene with the public laws, customs regulations, public health and other measures concerning vessels and ports security, safeguarding human beings' lives, safety of goods and the admission of foreigners in force on the territory of the Contracting Party.

Article 17. If a vessel under the flag of either of the Contracting Parties runs aground or is wrecked within the coastal area of the other Contracting Party, the ships, the persons and the cargo aboard shall be given the required assistance and the same privileges and advantages which would be granted in similar cases to own ships, persons and cargoes aboard, according to the legal provisions of that Contracting Party.

All fees, taxes, dues, charges, etc. relating to such operations shall be applied in accordance with the laws, regulations and tariffs in force in both Contracting Parties respectively.

Vessel sustaining damage, her machines and equipments, as well as cargo, spare parts, provisions on board are not liable to customs dues or other import taxes if they are not sold or consumed ashore.

Article 18. The two Contracting Parties, aiming to develop the foreign maritime trade of the two countries and to ensure smooth cooperation between their fleets, agreed to encourage the conclusion of the appropriate agreements between their respective shipowners.

Article 19. To ensure the proper implementation of this Agreement and for consultations on principal problems of mutual relations governed by the present Agreement, the Contracting Parties shall establish a Permanent Joint Committee. This Committee shall meet once a year or at the request of either Party in the United Arab Republic and the French Republic respectively.

Article 20. Unless otherwise provided in this Agreement, the national legislation and regulations of the two Contracting Parties remain reserved.

Article 21. Any modifications or additions to this Agreement [are] to be made in writing and require common consent of both Contracting Parties.

Article 22. The present Agreement shall come into force on the date when the two Contracting Parties shall have notified each other of the completion of their legislative formalities relating to Conclusion.

This Agreement will remain in force for a period of three years, after which period, it will be automatically renewed year by year unless either of the Contracting Parties terminates it with a three month's notice before the expiring date.

IN WITNESS THEREOF the two Parties have signed the present Agreement in Paris on July 15th, 1975, in three original copies in Arabic, French and English, all texts being authentic.

On behalf of the Government
of the Arab Republic of Egypt:

[Signed]
S. SAMMAK

On behalf of the Government
of the French Republic:

[Signed]
J. CHAPON

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS

I

[For the text of the letter from the President of the French Delegation, see text of letter II (text between quotation marks). The French Government has informed the Secretariat that it is not in a position to provide a copy of the exact and integral text (including date, heading, signature, etc.) of the French letter.]

II

Paris, 16/7/1975

THE CHAIRMAN OF THE EGYPTIAN DELEGATION

Sir:

I have the honour to acknowledge receipt of your letter of today's date, the text of which is as follows:

"In the course of the negotiations held from to , the French and Egyptian delegations have concluded a Maritime Agreement.

The fundamental aim of this Agreement is to lay the foundation for close co-operation between our two countries in all areas of maritime activity. The Agreement is designed, in addition, to facilitate the harmonious development of the foreign maritime trade of France and Egypt by fostering the development of their commercial exchanges through the incorporation of the largest possible quantity of French and Egyptian services.

To this end, article 19 of this Agreement provides for the establishment of a Joint Committee to study problems relating to the development of co-operation in the various sectors concerned, with a view, among other things, to promoting recourse to interested French and Egyptian enterprises, subject to the necessary fair competition.

The Joint Committee, which is to meet once a year in each country alternately, will be chaired by the Ministers responsible for merchant marine affairs or their representatives.

It will include the Minister responsible for ports or his representative.

The composition of each delegation will be entirely at the discretion of the two Parties.

In order to carry out its mandate effectively, the Joint Committee will be instructed to undertake within one year of the entry into force of the Agreement the long-term basic studies needed to determine the broad outlines of possible fields of co-operation between our two countries in the sectors covered by the Maritime Agreement (shipbuilding and repairs, development and management of merchant fleets, training of personnel, harbour development, maritime transport).

With regard to maritime transport proper, the Joint Committee will, in particular, devise a common method for establishing annual statistics for all exchanges of services between our two countries, according to the various flags flown (in bilateral traffic and third-party traffic) and according to the terms of the commercial contracts entered into by importers and exporters.

The transport of cargoes referred to in article 4 will be effected by vessels flying the flag of either Party on a 50-50 basis, independently of the terms of the commercial contracts, whether concluded f.o.b., c.i.f. or c.& f. The shipowners of both countries

shall conclude appropriate conventions to that end within three months of the entry into force of this Agreement.

It is hereby agreed that any disputes and litigation that may arise through the implementation of agreements or conventions concluded on the basis of article 18 of this Agreement shall be submitted to the Joint Committee.

Recommendations may be addressed to the competent authorities or bodies if it appears that foreign maritime trade structures and procedures are impeding the harmonious development of trade between our two countries.

The Joint Committee will in addition be instructed to follow the progress of any joint projects that are decided upon, being authorized to address recommendations to the competent authorities and bodies if any obstacles appear that may compromise the successful completion of the operations undertaken.

If either Party considers that the competent authorities and bodies of the other Party have not correctly applied the provisions of the Agreement, that Party will be entitled to suspend the application of the Agreement until the Joint Committee has been able to meet in order to settle the dispute.

I should be obliged if you would indicate your agreement to the above.”

I have the honour to confirm my Government's agreement to the foregoing.

Accept, Sir, etc.

[S. SAMMAK]
