

No. 25775

**FRANCE
and
DJIBOUTI**

**Maritime Agreement (with annex). Signed at Djibouti on
26 January 1978**

Authentic text: French.

Registered by France on 16 March 1988.

**FRANCE
et
DJIBOUTI**

**Accord maritime (avec annexe). Signé à Djibouti le 26 jan-
vier 1978**

Texte authentique : français.

Enregistré par la France le 16 mars 1988.

[TRANSLATION — TRADUCTION]

MARITIME AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF DJIBOUTI

The Government of the French Republic, on the one hand,

The Government of the Republic of Djibouti, on the other hand,

Wishing to develop their economic relations and to pursue jointly their endeavours to promote economic, social, cultural and technical progress in their countries and to eliminate all impediments to freedom of maritime trade between them,

Resolved to demonstrate their mutual desire to co-operate in the field of maritime activities on a basis of complete equality and friendly relations,

Have agreed as follows:

PART I. OPERATION OF VESSELS

Article I. The two Parties shall accord each other the same rights in respect of the navigation and opération of ships flying their respective flags.

Article II. For the purpose of this Agreement:

1. The term “ship of a Contracting Party” means any vessel flying the flag of that Party and vessels assimilated to such ships. Assimilated vessels include vessels chartered by individuals or bodies corporate of a Contracting Party in accordance with its legislation.

This term does not, however, include:

- (a) Warships;
- (b) Other ships manned by a crew belonging to the navy;
- (c) Hydrographic, oceanographic and scientific research ships which do not conform to the regulations governing the activities of such ships in force in the other Contracting Party;
- (d) Fishing vessels.

2. The term “crew member” means any person who is employed on board a ship and occupies a permanent position relating to the sailing command, maintenance or operation of the vessel and who is included in the crew list.

Article III. The provisions of this Agreement shall not impair any international commitments previously entered into by the French Republic.

Article IV. For the purposes of this Agreement, the term “ship flying the flag of a Contracting Party” does not include ships smaller than those defined in the international conventions cited in annex I.

¹ Came into force on 1 February 1983, i.e., the first day of the fourth month following the exchange of the instruments (effected on 5 October 1979 and 31 October 1982) confirming the completion of the required procedures, in accordance with article XIII.

Article V. The régime applied by the French authorities to ships operated by shipping lines under the jurisdiction of the Republic of Djibouti and the régime applied by the authorities of the Republic of Djibouti to ships operated by shipping lines under the jurisdiction of the French Republic shall be based on the principles of equality of treatment and reciprocity.

Article VI. The Contracting Parties agree that each shall refrain from performing any port services in the territory of the other Party, including pilotage and towage in ports, territorial waters and navigable inland waterways, coastal traffic and refloating, rescue and assistance operations, which are reserved for ships flying the national flag.

However, the fact that merchant ships of one Contracting Party sail from one port to another port of the other Contracting Party in order to discharge cargo from abroad or take on cargo for abroad shall not be deemed to constitute coastal traffic.

Article VII. In implementation of article I above, the two Contracting Parties agree that in matters relating to the transport of goods traded between the two countries, irrespective of the port of loading or discharge, including goods in transit, their respective shipping lines shall receive treatment identical to that enjoyed by each of their shipping lines in its own country.

PART II. CO-OPERATION IN MATTERS CONCERNING THE MERCHANT MARINE

Article VIII. At the request of the Government of the Republic of Djibouti, the Government of the French Republic shall provide training for personnel of the merchant navy of Djibouti, *inter alia*, by facilitating their admission to the technical schools and specialized professional bodies of the French Republic and by providing assistance in the establishment of national training facilities.

Article IX. The application of the provisions of article VIII above shall be the subject of special agreements between the Parties.

Article X. 1. With a view to promoting maritime and trade relations between the two countries, and at the request of the Government of the Republic of Djibouti, the Government of the French Republic shall provide assistance in devising and implementing shipping programmes and in studying any problems relating to maritime, port, construction or naval repair matters.

2. Where appropriate the application of the provisions of paragraph 1 above shall be the subject of special agreements.

Article XI. The Government of the French Republic and the Government of the Republic of Djibouti shall consult with each other, as required, in order to harmonize their technical regulations in matters concerning the merchant marine.

Article XII. In order to ensure the uniform application of the provisions of this Agreement, the Contracting Parties agree to establish a joint maritime commission under the Franco-Djibouti Co-operation Commission.

The Joint Maritime Commission shall meet alternately in France or in the territory of the Republic of Djibouti at the request of either Party.

Article XIII. This Agreement is concluded for a period of five years. It may be revised at any time by agreement between the Parties. The agreement shall be automatically renewed for a further period of five years, unless it is denounced at any time by either Contracting Party, on six months' notice. It shall enter into force on the first day of the fourth month following the exchange of the instruments confirming the completion of the procedures required by each of the two States.

DONE at Djibouti on 26 January 1978 in two original copies.

For the Government
of the French Republic:

[Signed]

IVAN BASTOUIL
Ambassador of France
to Djibouti

For the Government
of the Republic of Djibouti:

[Signed]

HASSAN GOULED APTIDON
President
of the Republic of Djibouti

ANNEX I

INTERNATIONAL CONVENTIONS

International Convention for the Safety of Life at Sea (IMCO, 1960)¹

International Convention on Load Lines (IMCO, 1966)²

Convention concerning Seamen's Articles of Agreement (ILO, No. 22, 1926)³

DONE at Djibouti, on 26 January 1978, in two original copies.

For the Government
of the French Republic:

[Signed]

IVAN BASTOUIL
Ambassador of France
to Djibouti

For the Government
of the Republic of Djibouti:

[Signed]

HASSAN GOULED APTIDON
President
of the Republic of Djibouti

¹ United Nations, *Treaty Series*, vol. 536, p. 27.

² *Ibid.*, vol. 640, p. 133.

³ *Ibid.*, vol. 38, p. 295.