

No. 9441

**FRANCE
and
CHAD**

Convention concerning the provision of personnel by the French Republic to assist in the operation of public services in the Republic of Chad. Signed at Paris on 19 May 1964

Additional Convention concerning the employment of seconded military personnel in the public services of the Republic of Chad. Signed at Paris on 19 May 1964

Additional Convention concerning judicial personnel made available to the Republic of Chad. Signed at Paris on 19 May 1964

Additional Convention concerning personnel made available to the Republic of Chad by the French Republic in the field of education and culture. Signed at Paris on 19 May 1964

Authentic texts: French.

Registered by France on 3 March 1969.

[TRANSLATION — TRADUCTION]

CONVENTION ¹ CONCERNING THE PROVISION OF PERSONNEL BY THE FRENCH REPUBLIC TO ASSIST IN THE OPERATION OF PUBLIC SERVICES IN THE REPUBLIC OF CHAD

The Government of the French Republic and

The Government of the Republic of Chad,

Conscious of the ties of friendship and solidarity which unite them within the French Community,

Anxious to promote the full development of such ties in a spirit of mutual assistance and understanding,

Desiring to ensure that the public services and the organs which contribute to the economic and social development of the Republic of Chad shall operate in the best possible conditions,

Have agreed as follows:

Article 1

The Government of the French Republic shall as far as possible make available to the Republic of Chad the technical co-operation personnel which the Chad Government shall wish to receive for the economic and social development and the consolidation of the administrative structures of the Republic of Chad; the provision of such assistance shall be independent of any other assistance which might form the subject of particular conventions relating either to the operation of certain services or institutions, or to the execution of temporary missions with specific objectives.

In order to permit the gradual withdrawal of technical co-operation personnel made available to the Republic of Chad under this Convention, the French Republic, at the request of the Republic of Chad, shall, as far as possible, facilitate the training of Chad nationals and help them to improve their professional skills.

¹ Came into force on 30 July 1966 by the exchange of the instruments of ratification, in accordance with article 17.

TITLE I

TERMS AND CONDITIONS FOR THE PROVISION OF ASSISTANCE
BY THE FRENCH REPUBLIC*Article 2*

The Government of the Republic of Chad shall transmit to the French Government a list of the functions and posts which it wishes to entrust to French technical assistance personnel within its administrative or para-administrative structures. This list shall be brought up to date and considered each year at the meeting of the Franco-Chad Mixed Commission established under the Agreement dated 19 May 1964¹.

The French Government shall make known within a period of one month following that meeting a list of the functions and posts which it will endeavour to fill.

Article 3

The Government of the French Republic shall, at the earliest possible date, submit for the approval of the Government of the Republic of Chad a list of the candidates which it has been able to recruit.

The list of candidates shall be accompanied by history sheets and details of their employment and family situation and reports for the last five years, or, failing that, an evaluation of the candidate's worth.

The Government of the Republic of Chad shall make known its acceptance or rejection of the candidates within a period of one month following the receipt of their documents.

Once that time-limit has expired, or in the event of rejection, the personnel who have not been accepted shall revert to the jurisdiction of the Government of the French Republic.

The latter shall, however, as far as possible, submit new proposals which may be accepted or rejected on the conditions set out above.

Article 4

On receipt of the notification of acceptance, the Minister-Delegate for Co-operation shall announce the assignment of the official concerned to the Republic of Chad and shall take all the necessary measures for his transfer.

¹ See p. 5 of this volume.

The period of assignment shall include the tour of duty and the leave following that tour of duty, in accordance with the French regulations applicable to the personnel in question. In the case of personnel subject to the system of annual leave, however, it shall include two consecutive tours of duty and the leave which accompanies those tours.

The appointment of accepted candidates shall be announced by the decision of the competent authority of the Republic of Chad for the duration of the period of assignment and shall take effect from the date of arrival of the official concerned in the territory of that Republic.

This decision shall be communicated to the Minister-Delegate for Co-operation through the Office of the French High Representative in Chad.

Any transfer of an official covered by this Convention shall be the subject of consultations between the two Governments.

Article 5

On the expiry of the time-limit established in article 4 above, the officials shall revert, without further formalities, to the jurisdiction of the Minister-Delegate for Co-operation.

This period may, however, be extended by a maximum of six months, except in case of *force majeure* or for reasons of health, by a simple exchange of letters at least one month before the expiry of the normal term.

In all cases, the assignment may be renewed in the same manner in which it was originally arranged.

If the Republic of Chad intends to retain an official for a further period of assignment, it shall notify him at least one month before the date of his departure, through the Office of the French High Representative in Chad.

Article 6

The Government of the Republic of Chad shall reserve the right to terminate the assignment at any time provided that it notifies the French Government and the official concerned, through the Office of the French High Representative in Chad, giving three months' notice from the date of such notification.

The Government of the French Republic may, on stated grounds, decide to terminate the assignment of an official on the same conditions, if the retention of that official seems likely to prejudice the higher interests of Franco-Chad co-operation.

In exceptional cases, and where, in the view of either Government, the retention of the official concerned proves impossible, either Government may, on stated grounds, disregard the obligation to give notice.

Where the return of the official occurs by the decision of the Government of the Republic of Chad and is not based on professional misconduct, all the expenses connected with the return passage in accordance with the French regulations shall be borne by the Republic of Chad.

Article 7

Sick leave exceeding three months, absences on account of illness exceeding three months and prolonged periods of leave outside the Republic of Chad granted to the officials concerned shall terminate their assignment.

The costs of repatriation or evacuation on grounds of health shall in such cases be borne by the French Republic.

TITLE II

RECIPROCAL OBLIGATIONS OF GOVERNMENTS AND OFFICIALS

Article 8

Officials made available to the Republic of Chad under this Convention shall carry out their duties under the authority of the Government of that country and shall be obliged to comply with its regulations and instructions.

They shall be bound by the obligation to exercise professional discretion in all matters relating to facts or information of which they have knowledge in the performance of their duties.

They shall refrain from any act likely to reflect unfavourably on the Government of the French Republic or the Government of the Republic of Chad or the French Community.

The two Governments shall also undertake not to require of the officials covered by this Convention any act or manifestation of a character alien to the service.

In the performance of their duties, the officials covered by this Convention shall in general receive aid and protection from the Government of the Republic of Chad.