

No. 2904

**BELGIUM, FRANCE, ITALY, NETHERLANDS,
PORTUGAL, SPAIN, SWEDEN,
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
AND UNITED STATES OF AMERICA**

Convention relating to the reform of the International Jurisdiction in the Tangier Zone. Signed at Tangier, on 10 November 1952

Official text: French.

Registered by the United Kingdom of Great Britain and Northern Ireland on 12 September 1955.

**BELGIQUE, ESPAGNE, ÉTATS-UNIS D'AMÉRIQUE,
FRANCE, ITALIE, PAYS-BAS, PORTUGAL,
SUÈDE ET ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD**

Convention relative à la réforme de la juridiction internationale de la Zone de Tanger. Signée à Tanger, le 10 novembre 1952

Texte officiel français.

Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 12 septembre 1955.

[TRANSLATION¹ — TRADUCTION²]

No. 2904. CONVENTION³ BETWEEN BELGIUM, FRANCE, ITALY, THE NETHERLANDS, PORTUGAL, SPAIN, SWEDEN, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA RELATING TO THE REFORM OF THE INTERNATIONAL JURISDICTION IN THE TANGIER ZONE. SIGNED AT TANGIER, ON 10 NOVEMBER 1952

The Government of the Spanish State, the Government of the French Republic, the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the Italian Republic, Contracting Parties to the Convention of 18th December, 1923,⁴ as amended by the Agreement of 25th July, 1928,⁵ desiring to reform the International Jurisdiction in the Tangier Zone constituted by the aforesaid Convention and the aforesaid Agreement, have appointed as their plenipotentiaries for this purpose :—

The Government of the Spanish State :

M. Cristobal del Castillo y Campos, Minister Plenipotentiary, Consul-General of Spain at Tangier.

The Government of the French Republic :

M. François de Panafieu, Minister Plenipotentiary, Consul-General of France at Tangier.

¹ Translation by the Government of the United Kingdom.

² Traduction du Gouvernement du Royaume-Uni.

³ Came into force on 8 July 1953, in accordance with the provisions of article 56, the States referred to in article 55 having given their adherence on the dates indicated below :

Belgium	3 July 1953
Netherlands	23 June 1953

This adherence is made subject to denunciation, should the States-General refuse to approve the said Convention.

Portugal	18 March 1953
Sweden	27 April 1953
United States of America	8 July 1953

1. The adherence of the United States to the Convention does not modify or abridge in any manner the extra-territorial jurisdiction of the United States in the Tangier Zone.

2. The adherence of the United States does not in any way imply adherence to the Statute of Tangier of December 18, 1923, as modified on July 25, 1928, which the Convention of November 10, 1952, amends.

⁴ League of Nations, *Treaty Series*, Vol. XXVIII, p. 541, and Vol. XXXIX, p. 198.

⁵ League of Nations, *Treaty Series*, Vol. LXXXVII, p. 211.

The Government of the United Kingdom of Great Britain and Northern Ireland :

Mr. Thomas G. A. Muntz, Minister Plenipotentiary, Consul-General of Her Britannic Majesty at Tangier.

The Government of the Italian Republic :

M. Francesco Macchi di Cellere, Minister Plenipotentiary, Consul-General of Italy at Tangier.

Who, having communicated their full powers, found in good and due form, have drawn up and signed the following provisions :

Article 1

The text of Article 48 of the Convention of 18th December, 1923, as amended by the Agreement of 25th July, 1928, shall be replaced by the following text :

An International Jurisdiction shall be responsible for the administration of justice to nationals of foreign Powers, as well as to Moroccan nationals in the cases provided for in the Annex to the Sherifian Dahir of 16th February, 1924, relating to the Organisation of an International Jurisdiction at Tangier, as amended by the dahir of 26th December, 1928.

The relation of the judicial authorities of the French and Spanish Zones with the International Jurisdiction at Tangier shall continue to be governed by the Agreement of 29th December, 1916, concerning the relations between the judicial authorities of those two Zones.

SECTION I

COMPOSITION OF THE INTERNATIONAL JURISDICTION AT TANGIER

Article 2

The International Jurisdiction at Tangier shall consist of :

- a Court of Appeal,
- a Court of First Instance with civil and correctional jurisdiction,
- a Criminal Court,
- a Court of Summary Jurisdiction (*Tribunal de paix et de simple police*).

Before this Jurisdiction, a *Parquet* shall discharge the functions attributed by the codes and laws of the Tangier Zone to the *Ministère Public*.

The Jurisdiction shall be assisted by the Registry of the Court and by the Interpretariat.

Article 3

The International Jurisdiction at Tangier shall consist of twelve judges assigned to the Courts and two procurators assigned to the *Parquet*.

The judges assigned to the Courts shall be : two Spanish judges, two French judges, a Belgian judge, a British judge, a judge of the United States of America, an Italian judge, a Moroccan judge, a Netherlands judge, a Portuguese judge and a Swedish judge.

The two procurators shall be one of Spanish nationality and the other of French nationality.

All the magistrates shall be nominated by Sherifian Dahir at the instance of the Committee of Control on the nomination of their respective Governments and, in the case of the Moroccan magistrate, of His Sherifian Majesty's Mendoub at Tangier.

Article 4

These magistrates must possess all the qualifications necessary to carry out their functions, as far as possible belong or have belonged to the magistrature of their own countries and know fluently at least one of the judicial languages referred to in Article 54 of the present Convention.

They should, apart from vacations, reside in Tangier.

They are forbidden to carry out duties or functions other than those which are assigned to them in the International Jurisdiction, or to undertake any part-time employment incompatible with their obligations to the International Jurisdiction.

They are equally forbidden to belong to any political associations whatsoever, or to take part in any political activities.

Any magistrate who fails to carry out his professional duties, compromises the dignity of his functions, or impairs the prestige of the magistrature can be removed by Sherifian Dahir, upon the advice of the General Assembly of Magistrates provided for in Section VIII of the present Convention, or at the instance either of the Committee of Control acting by unanimous decision, or of the Government or the Mendoub by whom he has been nominated.

Article 5

All the magistrates are *parés inter parés*, and the attribution to them of duties in different parts of the International Jurisdiction does not imply any hierarchic difference between them.

They shall each receive an equal salary, of which the amount shall be fixed by the Committee of Control.

They shall enjoy all the advantages granted to high officials of the Tangier Zone, particularly the benefits of the provident fund (*caisse de prévoyance*).

Their vacations, which may not exceed two and a half months a year, including journey's abroad, will be granted to them, subject to the exigencies of the service, by the General Assembly of Magistrates.

Article 6

Before entering upon their duties, the Magistrates shall take before the General Assembly of Magistrates sitting in public and solemn session, the following oath :—

“I swear and promise well and faithfully to carry out my duties, scrupulously to preserve the secret of our deliberations and to conduct myself in every way as a worthy and loyal magistrate of the International Jurisdiction at Tangier.”

Any magistrate to whom an oath is forbidden by his religious convictions shall make the following declaration :—

“I promise well and faithfully to carry out my duties, scrupulously to keep the secret of our deliberations and to conduct myself in every way as a worthy and loyal magistrate of the International Jurisdiction at Tangier.”

SECTION II

THE COURT OF APPEAL

Article 7

The Court of Appeal shall consist of two permanent judges, one of Spanish nationality, and the other of French nationality, and of two non-permanent judges belonging to two other nationalities.

The two non-permanent judges shall be chosen from amongst the judges of the Court in order of their seniority in the service of the International Jurisdiction, and, in the case of equal seniority, by age, for a period of four years at the expiry of which they shall take up in the Court of First Instance or in the Court of Summary Jurisdiction (*Tribunal de paix et de simple police*) the functions assigned to them by the General Assembly of Magistrates.

The Court of Appeal shall sit with three judges, and its decisions shall be taken by a majority vote.

The composition of the Court shall be fixed by agreement between all its members, according to the exigencies of the service, in such a way that all the four judges who compose it shall, as far as possible, sit for equal periods. In the event of any disagreement on this matter, the General Assembly of Magistrates shall take the necessary decision.

Article 8

The presidency of the Court of Appeal shall be held by each of the judges of the Court in annual rotation according to their seniority of service in the International Jurisdiction and in the event of equal seniority, according to their age.

In the event that the President is absent or is otherwise prevented from sitting, he shall be replaced by the most senior judge of the Court or, in the case of equal seniority, by the eldest.

Article 9

When the proceedings concern unregistered immovable property, the Court of Appeal shall have added to it two Moslem jurisconsults in a consultative capacity. These jurisconsults, as well as two deputies, shall be designated for a year by the General Assembly of Magistrates sitting in the first week in October and shall be chosen from a list of eight names drawn up by His Sherifian Majesty's Mendoub in Tangier.

SECTION III

THE COURT OF FIRST INSTANCE

Article 10

The Court of First Instance shall consist of seven members, of whom a President, a Vice-President and a *juge d'instruction* shall be chosen for one year by the General Assembly of Magistrates during its session held in the first week of October.

The offices of President and Vice-President will be held by annual rotation according to the seniority of the judges in the International Jurisdiction and, in the case of equal seniority, according to their age.

The Court shall always sit with three judges and its decisions shall be taken by majority vote.

Article 11

One section of the Court shall have jurisdiction in respect of civil, commercial and administrative proceedings.

Another section, of which the *juge d'instruction* shall not be a member, shall have jurisdiction in respect of correctional proceedings.

These sections shall be presided over by the President and Vice-President of the Court, respectively.

In the case that the President or the Vice-President is absent or otherwise prevented from sitting, he shall be replaced by the most senior judge of the Court, and in the case of equal seniority by the eldest.

Article 12

When the Court is sitting as the "*Chambre des mises en accusation*," it shall consist of three judges, including the President or the Vice-President, and two members of the Court of First Instance of whom the *juge d'instruction* shall not be one.

Article 13

If necessary, the sections of the Court of First Instance or the *Chambre des mises en accusation* can be completed by the President of the Court of Summary Jurisdiction (*Tribunal de paix et de simple police*), or even, exceptionally, by one of the members of the Court of Appeal.

Article 14

If the proceedings relate to unregistered immovable property the Court shall have added to it two Moslem jurisconsults in a consultative capacity. These jurisconsults, as well as two deputies, shall be chosen for one year by the General Assembly of Magistrates sitting during the first week in October and shall be chosen from a list of eight names drawn up by His Sherifian Majesty's Mendoub at Tangier.

SECTION IV

THE CRIMINAL COURT

Article 15

The Criminal Court shall consist of one judge of the Court of Appeal who shall be President ; two judges of the Court of First Instance who have taken no part in the preliminary stages of the proceedings, and a jury of six members selected by lot under the conditions laid down in Articles 200 ff. of the Code of Criminal Procedure. When there is only one accused, or when all the accused are of the same nationality, the jury shall consist of three members of the same nationality as the accused and three members possessing a different nationality.

When there are several accused of different nationalities, the jury shall be made up as follows :—

If the accused belong to two different nationalities, the jury shall consist of two members of each of those nationalities, and two members having a different nationality.

If the accused belong to three different nationalities, the jury shall consist of two members of each of these nationalities.

If the accused belong to four different nationalities, the jury shall consist of a member of each of those nationalities, and two members having another nationality.

If the accused belong to five different nationalities, the jury shall consist of one member of each of those nationalities, and one member of another nationality.

If the accused belong to six different nationalities, the jury shall consist of one member of each of the nationalities.

If the accused belong to more than six different nationalities, the nationalities to which the jurors are to belong shall be determined by lot, but they must include the nationalities of six of the accused.

If there does not exist any special list for the country to which the accused belongs, the latter can select one of the national lists provided for in Article 186 of the Code of Criminal Procedure as the one from which he wishes there to be drawn the members of the jury who, by virtue of the preceding provisions, ought to be of his own nationality. At least twenty days before the opening of the session, the President shall notify the accused that he must make his choice within 48 hours of the receipt of the notification. If the accused does not avail himself of this right within the above-mentioned period, the jury shall consist of six members of different nationalities drawn from the general list of jurors under the conditions laid down in Articles 200 ff. of the Code of Criminal Procedure.

Article 16

The judges and the jurors shall deliberate together concerning the guilt of the accused. Their decision on this matter shall be taken by majority vote.

The sentence to be imposed shall be decided by the judges alone, by means of a majority vote.

Article 17

An appeal against a judgment given by the Criminal Court can be lodged before the Court of Appeal, but only on the grounds of incompetence, excess of powers, omission of substantial legal formalities, failure to accord rights of defence, lack of any grounds for the judgment delivered, misapplication, misinterpretation or infringement of the law.

To be admissible, such appeals must be lodged not later than 15 days from the date on which the judgment was pronounced.

If the Court of Appeal does not affirm the judgment against which an appeal has been lodged, it shall send the case back for a further hearing, which shall be held as soon as possible by the same Court which shall have added to it a new jury consisting entirely of members who took no part in the previous proceedings in the Criminal Court.

This new jury shall be set up and selected by lot according to the provisions of Article 15 of the present Convention.

SECTION V

COURT OF SUMMARY JURISDICTION
(*Le Tribunal de paix et de simple police*)*Article 18*

The Court of Summary Jurisdiction (*Tribunal de paix et de simple police*) shall consist of a single judge selected each year by the General Assembly of Magistrates, who shall be known as President of the Court of Summary Jurisdiction (*Président du Tribunal de paix et de simple police*).

Article 19

If the work of the Court of Summary Jurisdiction (*Tribunal de paix et de simple police*) becomes too heavy, the General Assembly of Magistrates can designate, to assist the single judge provided for in the preceding Article, one of the judges of the Court of First Instance, or, in a case of absolute necessity, either a lawyer who is a member of the Bar in Tangier, or a well-known person whose respectability and capability can be vouched for. The latter shall have a right to receive remuneration, the amount of which shall be fixed by a law.

SECTION VI

THE PARQUET

Article 20

The *Parquet* shall consist of two Procurators who represent the public interest and who are the heads of the judicial police.

They shall represent by delegation from His Sherifian Majesty, the Administration of the Zone before the International Jurisdiction.

The *Ministère Public* shall address any necessary requests to the *juge d'instruction* about the institution, the progress or the closure of judicial proceedings. He shall be entitled to enter an objection to a decision made by the *juge d'instruction*.

Article 21

In rotation and beginning with the more senior, or in the case of equal seniority, with the elder, each of the two Procurators shall represent, for a year, with the title of "Head of the *Parquet*" the *Ministère Public* before the authorities, the public administration and the different organs of the Zone.

The two Procurators will agree upon the allocation of the work between them and the representation of the *Parquet* before the Court of Appeal, the two sections of the Court of First Instance, the *Chambre des mises en accusation*, and the Criminal Court. In case of any difficulties in regard to this matter the General Assembly of Magistrates shall take any decisions which may be necessary.

Article 22

The two Procurators shall replace one another with full powers in the case of absence, sickness or when otherwise prevented from exercising their functions.

In the event that both Procurators are absent, sick or otherwise prevented from exercising their functions at the same time, the General Assembly of Magistrates shall designate a magistrate from the body of the Court temporarily to carry out their functions.

Article 23

The President of the Court of Appeal and the Head of the *Parquet* shall be of different nationalities. If the application of the preceding Article results in both posts falling to magistrates of the same nationality, the choice will be exercised in favour of the President of the Court of Appeal.

Article 24

The functions of the *Ministère Public* before the Court of Summary Jurisdiction (*Tribunal de paix et de simple police*) shall be carried out, under the supervision and authority of the *Parquet*, by a Police Commissioner designated by the Administrator of the Zone and agreed upon by the Head of the *Parquet*.

Article 25

The Assistant Administrator for Judicial Affairs, acting in the name of the Administrator, may ask the Head of the *Parquet* for information, and in case of need, make recommendations to him.

The Administrator of the Zone shall, in such case, inform the Committee of Control.

The Procurators must take into account in their written address to the Court any recommendations made by the Assistant Administrator, but can at the hearing verbally present and uphold their personal opinions.

SECTION VII

EXECUTION OF JUDGMENTS—REVISION—MEASURES OF CLEMENCY

Article 26

The execution of judgments and sentences in criminal matters belongs to the *Parquet*.

The Assistant Administrator for Judicial Affairs shall watch over the execution of judgments and sentences. For this purpose he shall receive extracts of such

judgments and sentences and shall be kept informed of their execution by the *Parquet*. He may draw the attention of the *Parquet* to any failures of or deficiencies in execution.

Article 27

His Sherifian Majesty shall have the right to remit or to commute to a lighter sentence any sentence of a criminal, correctional or summary nature pronounced by the International Jurisdiction. Such clemency will be exercised on the advice of the President of the Court of Appeal, the Magistrate of the *Parquet* who has knowledge of the case, and the Assistant Administrator for Judicial Affairs.

An appeal for clemency shall be presented by the convicted person through his lawyer to the Department of Judicial Affairs who will transmit it to the Head of the *Parquet* so that it may be advised upon as provided above.

Article 28

In view of the nature of the International Jurisdiction at Tangier, final judgments, as well as *commissions rogatoires* emanating from the Courts of the Powers who are signatories of the Act of Algeciras, are legally capable of being executed in the Tangier Zone against persons who are subject to the International Jurisdiction, provided that such judgments are not contrary to public order in the Zone.

Nevertheless, as far as judgments are concerned, a request for their execution must be made to the Court of Appeal.

The General Assembly of Magistrates shall determine, by regulation, the conditions on which the authenticity of such judgments and commissions can be verified in accordance with the law of the country from which they have emanated.

SECTION VIII

THE GENERAL ASSEMBLY OF MAGISTRATES

Article 29

The fourteen magistrates of whom the International Jurisdiction is composed shall meet together in General Assembly at least once every three months and more often if this is necessary.

The two Procurators may express their opinions on any matter, but shall not have the right to vote.

The Assembly shall select amongst its members, according to conditions on which it shall decide, a Delegate who shall preside at its meetings, convene meetings whenever necessary, and represent the International Jurisdiction before the authorities, administrative services and various organs of the Zone.

Article 30

Every year, in the first week of the month of October, the Assembly shall allocate between its members, with the exception of the two Procurators and the two permanent members of the Court of Appeal, under the conditions laid down in the present Convention, the functions of the non-permanent judges of the Court of Appeal, and of the President, Vice-President, *juge d'instruction* and judges of the Court of First Instance and the President of the Court of Summary Jurisdiction (*Tribunal de paix et de simple police*). The Assembly shall, moreover, supervise the application of the provisions of Article 8 of the present Convention relating to the Presidency of the Court of Appeal.

When a judge of the Courts or member of the *Parquet* is prevented by absence, sickness or any other cause from exercising his functions, the Assembly shall meet without delay and, according to the requirements of the appointment concerned, designate a temporary replacement for the magistrate who is unable to act.

Article 31

In addition to the powers and duties which devolve upon it under other provisions of the present Convention, the General Assembly shall carry out the following functions :—

It shall fix the days and hours at which the Court of Summary Jurisdiction (*Tribunal de paix et de simple police*), the Court of First Instance and the Court of Appeal shall sit, as well as the hours at which the offices of the Registrar of the Court and the Interpretariat shall open and close.

It shall watch over the internal organisation of the International Jurisdiction and the discipline of the magistrates ; it shall decide on the costumes and insignia which the latter shall wear whilst carrying out their functions ; and it shall fix, according to the exigencies of the service, the time and length of magistrates' vacations, and shall take any decisions on those matters which may be necessary.

It shall organise vacation courts, if this is compatible with the efficiency of the International Jurisdiction.

It shall carry out, under the conditions laid down in the Statute concerning the personnel of the Registrar's Office and the Interpretariat, the recruitment and promotion of such personnel, and shall exercise over them, under the same conditions, disciplinary powers. At meetings of the General Assembly for these purposes the Assistant Administrator for Judicial Affairs shall be present and may express his opinion on any matters raised, but shall not have the right to vote.

It shall prepare, with the Assistant Administrator for Judicial Affairs, participating under the conditions specified above, the budget of the International Jurisdiction.

Within the limits of the credits made available to it in the budget, it shall carry out the purchase of legal books, periodicals and any office furniture, that may be necessary ; and it shall also select the *chaouchs*, porters and messengers.

Article 32

Decisions of the General Assembly of Magistrates shall be taken by majority vote. In the case of an equal vote, the most senior magistrate of the International Jurisdiction, or in the case of equal seniority, the eldest, shall have the casting vote.

SECTION IX

THE REGISTRY OF THE INTERNATIONAL JURISDICTION AND THE INTERPRETARIAT

Article 33

The Registry of the International Jurisdiction shall be directed under its authority by a Chief Registrar, assisted by six Registrars, as well as Assistant Registrars, Registrars' clerks, assistant clerks and women employees whose number shall be fixed by an Ordinance of the Committee of Control concerning the personnel of the Registry.

Article 34

The officials of the Registry must belong to one or other of the nationalities referred to in the second paragraph of Article 3 of the present Convention.

The Chief Registrar, and the six Registrars shall be nominated and appointed or revoked, as the case may be, by Dahir of His Sherifian Majesty, on the proposal of the General Assembly of Magistrates and at the instance of the Committee of Control. The other officials shall be appointed by Ordinance of the Committee of Control on the proposal of the General Assembly of Magistrates.

Article 35

The Registry shall provide the Secretariat of the Court of Appeal, the Court of First Instance, the *Tribunal de paix* and the *Parquet*.

It shall include :

- an office dealing with judicial documents and the execution of judgments,
- an office dealing with bankruptcy, liquidation and judicial administration,
- a notarial office,
- a judicial treasury.

The General Assembly of Magistrates shall decide how the duties of the offices are to be allocated to the officials of the Registry.

Article 36

The staff of the office dealing with judicial notifications and the execution of judgments are responsible for the issue of summonses, the drawing up of declara-

tions, protests and other judicial documents. They are also responsible for the execution of all judgments and orders of the International Jurisdiction, including the sale of movables and immovables seized in execution.

Article 37

The staff of the office dealing with bankruptcy, liquidation and judicial administration carry out the functions of receiver in bankruptcy, official liquidator, liquidator charged with winding up companies, sequestrator, and, in general, any functions of preservation or liquidation which are not of a notarial character.

The International Jurisdiction may also add to the personnel of this office other agents when it is deemed necessary to call upon persons having technical qualifications.

Article 38

In case of absence or if otherwise prevented from carrying out his duties, an official assigned to any of the offices provided for in Article 35 can be temporarily replaced, if necessary, by a decision of the General Assembly of Magistrates which can appoint an official from another office.

Article 39

The office of the Notariat is responsible for receiving any documents or contracts which the parties ought or wish to have authenticated by a public authority and for vouching for the date of such documents, safeguarding them and furnishing copies of them.

The organisation of this office and the conditions in which notarial documents are received and copies of them furnished shall be regulated by an Ordinance of the Committee of Control.

The functioning of the Office of the Notariat is placed under the supervision of the Magistrates of the *Parquet*, without prejudice to the provisions of Article 43.

Article 40

If necessary, the General Assembly of Magistrates, may on the proposal of the Chief Registrar, and within the limits of the credit voted, recruit auxiliary or temporary officials.

Article 41

A judicial interpreter for the Arab language, attached to the International Jurisdiction, shall be appointed by Dahir of His Sherifian Majesty on the proposal of the General Assembly of Magistrates and at the request of the Committee of Control.

An assistant judicial interpreter shall be appointed by Ordinance of the Committee of Control on the proposal of the General Assembly of Magistrates.

Article 42

The Statute provided for in Article 33 shall determine the conditions of recruitment and promotion, as well as the salaries of, and the disciplinary regulations applicable to, officials of the Registry and the Interpretariat.

Article 43

The Assistant Administrator for Judicial Affairs may, if he considers it necessary, ask the General Assembly of Magistrates for any information about the functioning of the Registry and the Interpretariat, and in case of need, may make recommendations to that Assembly about these matters.

SECTION X

THE BAR

Article 44

Members of the Bar in the International Zone of Tangier have the right to give opinions and to plead. They represent their clients before the International Jurisdiction and may submit on their behalf such documents and pleadings as may be necessary without having to obtain any special authorisation to do so.

Nevertheless, they may not, without special authorisation, refuse to acknowledge handwriting, compromise or compound any matter, accept offers, make admissions, give consents, put persons on their oath or tender back a decisive oath, or, generally, do anything affecting the renunciation or abandonment of a right.

Article 45

The right to be a practising member of the Bar in the International Zone of Tangier is acquired by inscription in the roll of barristers having the right to appear before the International Jurisdiction.

Nevertheless, lawyers who have been duly admitted to practise and who enjoy rights of audience before the courts of any one of the Powers signatories of the Act of Algeiras¹ are allowed to plead before the International Jurisdiction after having been authorised to do so by the President of the Court of the particular Section of the Court seized of the matter in which the lawyer wishes to be heard. But such lawyers may only submit written pleadings as the authorised agents of their clients.

¹ United Kingdom: "Treaty Series No. 4 (1907)," Cd. 3302.

Article 46

The maintenance and annual check of the roll of members of the Bar is the responsibility of the *Bâtonnier* and the Bar Council.

Article 47

No one can be inscribed on the roll of members of the Bar entitled to practise before the International Court unless—

he is a national of one of the Powers signatories of the Act of Algeciras ;
he fulfils all the qualifications required under the law of the State of which

he is a national before being admitted to the legal profession in that State ;
he is ordinarily resident in the Tangier Zone ;

he has practised for at least three years before the Courts of the State of which he is a national, or has passed the period of probation, in a barrister's chambers required either by the law of his own State or that required by the Tangier Bar. The performance of legal duties, acting as a magistrate, or a teaching appointment in a Law Faculty of a University or a School of Law, shall be considered as equivalent to this probationary period.

Article 48

All the lawyers practising before the International Court shall comprise a single Bar. The latter shall be administered by the Bar Council, consisting of nine members chosen for two years by all the members of the Bar and representing, as far as possible, the different nationalities of those members. The Council shall be responsible for choosing the *Bâtonnier*.

Article 49

The Bar Regulations shall be drawn up by the Bar Council and approved by the General Assembly of Magistrates.

Article 50

The Bar Council shall have disciplinary powers in respect of those members of the profession reading in Chambers and practising members of the Bar inscribed on the Roll.

Article 51

An appeal may be lodged against any decision of the Bar Council in respect of a request to be admitted to read in Chambers or for inscription on the Roll ; or in respect of a complaint against a person reading in Chambers or against a

practising member of the Bar. Such appeals shall be heard by three judges of the Court of Appeal and, in addition, the President or Vice-President of the Court of First Instance.

Such an appeal shall be open either to the person concerned or to the *Parquet*, and the right to appeal must be exercised within 15 days of the notification, by the *Bâtonnier*, of the decision against which it is sought to appeal.

Any decision of the Bar Council concerning one of the matters referred to in the first paragraph of the present Article must be notified to the *Parquet* by the *Bâtonnier*.

Any complaint against a person reading in Chambers or a practising member of the Bar inscribed on the Roll shall be communicated to the *Parquet*, which shall have the right to give the Bar Council a certain period within which to reach a decision on the matter and to notify the Bar Council of its intention to intervene. The absence of any notification of a decision, by the *Bâtonnier* within the period stipulated shall be regarded as an implicit rejection of the complaint on the part of the Bar Council against which the *Parquet* can exercise the right of appeal provided for in the second paragraph of the present Article.

SECTION XI

GENERAL PROVISIONS

Article 52

Justice is rendered by the International Jurisdiction in the name of His Sherifian Majesty.

Article 53

The International Jurisdiction at Tangier shall apply the codes, dahirs and laws specially promulgated for the Zone, as well as any international convention which relate to the Zone.

In the event of a conflict between the provisions of the above-mentioned codes, dahirs and laws and the provisions of the present Convention, the latter shall prevail.

Article 54

The judicial languages shall be French and Spanish. All judgments and any documents issuing from the Registry shall be drawn up in one or other of these languages, at the choice of the Judge, in the case of judgments, and of the Chief Registrar, in the case of documents issued by the Registry; parties to the proceedings can use either French or Spanish in drawing up the pleadings and other documents in the case.

Notifications and summonses issued either in French or in Spanish are valid even though the party on whom they are served alleges that he does not know the language in which they are drawn up. Such party has, nevertheless, the right

to ask the Registrar for a translation by an expert, at his own expense, of such notifications and summonses.

Oral pleadings shall be in French or in Spanish, except where the use of another language is authorised by the President.

FINAL PROVISIONS

Article 55

The present Convention shall, through the good offices of the Government of the French Republic be communicated for their adherence to the Governments of the Powers which have acceded to the Convention of 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, as well as to the Government of the United States of America which is represented on the Committee of Control.

The Governments of Powers signatories of the present Convention, as well as the Government of Powers which adhere to it, shall undertake to recommend to His Sherifian Majesty that he shall adopt a Dahir¹ corresponding with the provisions of Articles 2 to 34 of the present Convention, which dahir shall replace the dahir of 16th February, 1924, as amended by the dahir of 26th November, 1928.

Article 56

The present Convention shall enter into force as soon as the Governments of all the Powers referred to in Article 55 have given their adherence. It is concluded for a period of five years commencing from the date of its entry into force, which date shall be notified through the good offices of the Government of the French Republic to all the Governments which have signed or adhered to it.

The present Convention shall be renewed in full force and effect, by tacit agreement, for one or more periods of the same duration unless, at least six months before the date of its expiration, any of the Governments of the Contracting Powers has requested that it be revised. In such case, it shall continue to apply until the conclusion of a new Convention.

IN WITNESS WHEREOF the under-mentioned plenipotentiaries have signed the present Convention and affixed thereto their seals.

DONE at Tangier, 10th November, 1952, in four copies.

[L.S.] C. DEL CASTILLO

[L.S.] F. DE PANAFIEU

[L.S.] Godwin MUNTZ

[L.S.] F. MACCHI DI CELLERE

¹ The following information is given by the Government of the United Kingdom (*Treaty Series No. 48 (1955), Cmd.9551*): "The Dahir was signed on the 10th June, 1953."