

**No. 2762**

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**NETHERLANDS  
and  
FRANCE**

**Labour Treaty. Signed at Paris, on 2 June 1948**

*Official text: French.*

*Registered by the Netherlands on 17 February 1955.*

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**PAYS-BAS  
et  
FRANCE**

**Traité de travail. Signé à Paris, le 2 juin 1948**

*Texte officiel français.*

*Enregistré par les Pays-Bas le 17 février 1955.*

[TRANSLATION — TRADUCTION]

No. 2762. LABOUR TREATY<sup>1</sup> BETWEEN FRANCE AND  
THE NETHERLANDS. SIGNED AT PARIS, ON 2 JUNE  
1948

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The Government of the French Republic and the Government of Her Majesty the Queen of the Netherlands,

Desiring to promote and organize exchanges of workers between the Netherlands and France and to establish in as large a degree as possible equality of treatment between their nationals and those of the other State in respect of conditions of work in their respective territories, have decided to conclude a treaty to this end and have appointed as their plenipotentiaries :

The President of the Republic :

Mr. Georges Bidault, Minister of Foreign Affairs ;

Her Majesty the Queen of the Netherlands :

His Excellency Jonkheer A. W. L. Tjarda van Starckenborgh Stachouwer, Ambassador of Her Majesty the Queen of the Netherlands in Paris,

Who, having exchanged their full powers, found in good and due form, have agreed upon the following provisions :

*Article 1*

The French Government and the Netherlands Government undertake not to place any obstacles in the way of the departure of their respective nationals desiring to travel to either of the two countries in order to take up employment there, in so far as the departure of such labour is not prejudicial to the economic and/or demographic situation of the country concerned and provided that departure is not barred in individual cases by the application of the normal and general legislation. To this end, they shall grant all administrative facilities to such workers and to their spouses and children who accompany them or who may join them later. In particular, they shall furnish them with the necessary identity papers and passports.

If workers of either country and their families who have settled or regularly reside in the territory of the other wish to return to their country of origin, the two Governments shall grant them all the necessary administrative facilities for this purpose.

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<sup>1</sup> Applied provisionally as from the date of signature, on 2 June 1948, and came into force on 21 May 1954, by the exchange of the instruments of ratification at The Hague, in accordance with the terms of article 13.

*Article 2*

Group applications, that is, applications not naming the workers concerned, shall be endorsed by the authorities so empowered by the competent ministries of the country of immigration and shall then be forwarded to the competent authorities of the other country. Such applications shall conform to the standard forms of application laid down by agreement between the competent administrative departments of France and the Netherlands.

Applications naming the workers concerned shall be endorsed in the same way.

The employment contracts offered by employers and the applications for workers submitted by them shall contain no provision contrary to this Treaty.

*Article 3*

Immigrant workers, whether the subject of a group application or recruited under a personal contract must, before arrival in either country, be in possession of an employment contract endorsed as provided in article 2 and a certificate issued by their own authorities stating that the latter have no objection.

They must also be in possession of a medical certificate issued by a medical officer specially appointed for the purpose by the country in whose territory they are to be employed.

*Article 4*

Action in connexion with the immigration to France of Netherlands workers, for which the representative in the Netherlands of the National Immigration Office is responsible, under the supervision of the competent French authorities, shall not be undertaken except with the agreement of and in collaboration with the Netherlands National Labour Office (*Rijksarbeidsbureau*).

In cases where the recruitment of a group of workers from a particular occupation is agreed upon, the Netherlands administrative services undertake to publicize the facts widely among appropriate groups in a manner likely to elicit suitable applications.

*Article 5*

Immigrant workers shall receive for equal work remuneration equal to that of national workers of the same category employed in the same undertaking or, in default of national workers of the same category employed in the same undertaking, the standard remuneration currently paid to workers of the same category in the same district.

The Government of the country of immigration shall ensure that in its territory equality in remuneration is observed between immigrant workers and national workers.

*Article 6*

The workers of each of the High Contracting Parties shall enjoy in the territory of the other the same protection as is accorded to national workers and equal treatment with the latter in all matters relating to the administration of the laws and regulations concerning conditions of employment and living and housing conditions, social insurance and the health and safety of workers. This equality of treatment shall also apply to all provisions which may in future be adopted in this connexion in either country.

Allowances or other payments to which workers of one of the High Contracting Parties are entitled under the social insurance legislation of the other High Contracting Party shall be paid to them or to their widows or orphans even if they have returned to their own country.

*Article 7*

If a worker of one of the two States duly admitted as a resident in the other State is unemployed he must apply to the competent public employment service which shall endeavour to find work for him.

The unemployment insurance organizations proper and national organizations for unemployment relief shall grant such workers the same benefits as nationals of the State of residence.

*Article 8*

All complaints by workers respecting either the conditions of employment offered them by employers, or living conditions, whether made in the language of the country of residence or in that of the worker, shall be addressed or transmitted either directly or through the diplomatic or consular authorities to the competent authorities of the country of residence; the competent administrative department of that country shall alone be competent to make the requisite enquiries and to intervene with a view to an amicable settlement.

Each Government may attach to its diplomatic staff in the other State an expert adviser responsible for labour, emigration and social questions and relations with the competent authorities of the country to which its workers have emigrated. The two Governments shall grant facilities to these attachés in the performance of their work.

The provisions of this article shall not be understood to imply any modification of the functions of consuls as laid down in treaties and conventions and in the laws of the country of residence.

*Article 9*

The competent administrative authorities of the two countries shall jointly agree on the detailed rules and regulations necessary for the carrying out of such provisions of this Treaty as require the co-operation of their administrative services.

They shall also decide in what cases and under what conditions the administrative services shall correspond directly with one another.

They shall further exchange all useful information on the conditions of employment and living conditions of workers of one of the two countries resident in the other and on any laws, regulations or administrative measures applicable to them.

*Article 10*

The two Governments shall set up a Mixed Advisory Commission which shall meet, if required, alternately in France and in the Netherlands at the request of either of the High Contracting Parties.

This Commission shall be competent to examine questions concerning the application of this Treaty and of the laws and regulations of either State applicable to the workers of the other.

It shall also be responsible for proposing, as necessary, any revision or extension of the provisions of this Treaty and of the laws and regulations mentioned in the preceding paragraph.

The Commission shall be composed of not more than six representatives of the authorities concerned in each State. Each delegation may be assisted by experts.

*Article 11*

Any difficulties arising in the course of the application of this Treaty shall, so far as possible, be settled through the diplomatic channel after consultation, where appropriate, of the Mixed Commission set up in accordance with article 10.

Should it not be possible to arrive at a solution by this method, the dispute shall be settled by arbitration organized in accordance with an arrangement to be concluded between the two Governments; the arbitral body must settle the dispute in accordance with the fundamental principles and the spirit of this Treaty.

*Article 12*

This Treaty shall apply only to the European territories of the High Contracting Parties.

*Article 13*

This Treaty shall be ratified and the instruments of ratification shall be exchanged as soon as possible.

It shall come into force as soon as the instruments of ratification have been exchanged.

It shall be applied provisionally from the date of signature.

*Article 14*

This Treaty shall remain in force until 31 December 1948.

It shall be automatically renewed from year to year unless it is denounced by either High Contracting Party.

Denunciation must be notified six months before the expiry of any period.

IN FAITH WHEREOF the above-mentioned Plenipotentiaries, duly authorized, have signed this Treaty and thereto affixed their seals.

DONE in Paris on 2 June 1948.

(Signed) BIDAULT

(Signed) A. W. L. TJARDA VAN STARKENBORGH STACHOUWER