

No. 6569

**BELGIUM
and
RWANDA**

**Convention on assistance in the matter of personnel.
Signed at Brussels, on 13 October 1962**

Official text: French.

Registered by Belgium on 19 March 1963.

**BELGIQUE
et
RWANDA**

**Convention d'assistance en personnel. Signé à Bruxelles,
le 13 octobre 1962**

Texte officiel français.

Enregistrée par la Belgique le 19 mars 1963.

[TRANSLATION — TRADUCTION]

No. 6569. CONVENTION¹ ON ASSISTANCE IN THE MATTER OF PERSONNEL BETWEEN BELGIUM AND RWANDA. SIGNED AT BRUSSELS, ON 13 OCTOBER 1962

The Belgian Government and the Government of Rwanda,

Having Regard to article 1 of the General Convention on Co-operation and Technical Assistance² between Belgium and Rwanda,

Wishing to determine the forms of and arrangements for such co-operation as applied to assistance in the matter of personnel,

Have Resolved to conclude a Convention for this purpose and have agreed upon the following provisions :

TITLE I

GENERAL PROVISIONS

Article 1

At the request of the Government of Rwanda, the Belgian Government shall grant that Government such assistance as its means allow in the matter of technical personnel.

The purpose of this assistance shall be both to provide a temporary remedy for the shortage of trained Rwandese staff and to promote the gradual training of such staff.

It shall consist in :

- (1) Finding qualified candidates for posts in the services and institutions under the authority or supervision of the Government of Rwanda and facilitating the employment of those accepted ;
- (2) Contributing to the further training of Rwandese personnel, *inter alia* through the provision of practical training and the award of fellowships.

Article 2

This Convention governs solely the conditions upon which the Belgian Government shall give the Rwandese Government assistance in the recruitment and employ-

¹ Came into force on 13 October 1962, with retroactive effect from 1 October 1962, in accordance with article 20.

² See p. 427 of this volume.

ment of technicians to meet the needs of its services and of any other public or private institutions, with the exception of institutions common to Rwanda and Burundi. The conditions for assistance to such common institutions in the matter of personnel shall be governed by special conventions.

The provision of practical training and the award of fellowships shall be the subject of a special convention.

Article 3

The Government of Rwanda shall transmit to the Belgian Government a list of the posts in which it wishes to place technicians under the scheme of assistance in the matter of personnel.

The said list shall specify the nature of the posts, the places where they are to be held and the qualifications required of candidates.

The Government of Rwanda may draw to the Belgian Government's attention the names of technicians whom it would prefer to employ.

Upon receipt of the list, the Belgian Government shall inform the Government of Rwanda which posts it feels able to help fill.

Article 4

The Belgian Government shall invite applications for the posts agreed upon.

It shall investigate the merits and ability of applicants and shall transmit to the Government of Rwanda a list of the candidates whom it feels able to approve, stating their qualifications.

In the case of candidates asked for by name by the Government of Rwanda, the Belgian Government shall proceed directly to examine their qualifications and shall not invite applications for the posts concerned if it considers that the persons in question meet the requirements.

Article 5

Approval shall be granted by the Belgian Government for a term of service. It shall be renewable.

Article 6

Upon receipt of the list of candidates approved by the Belgian Government, the Government of Rwanda shall communicate to that Government the names of the technicians accepted for employment.

Such communication shall not be required in the case of candidates approval of whom has already been requested by name by the Government of Rwanda.

Article 7

The approved technicians shall perform their functions under the authority of the Government of Rwanda and shall be required, for the purposes of their service, to comply with its regulations and instructions.

Their role shall be a technical one. They shall refrain from any intervention in the internal or external political affairs of Rwanda.

The Government of Rwanda and the Belgian Government undertake not to require of the persons concerned any activity or service foreign to the functions for which they have been approved.

Article 8

The approved technicians and their property shall benefit from the same security measures as are taken by the Government of Rwanda for its nationals.

If it considers the existing security conditions to be no longer adequate, the Belgian Government may limit or suspend its assistance in the matter of personnel after the Government of Rwanda has been notified of its decision and of the reasons therefor.

Article 9

The normal term of service for approved technicians shall be one year. For technicians appointed to teaching posts, however, it shall be one school year or, if the school year has already begun, the remainder thereof.

Article 10

Approved technicians may, with their consent and with the agreement of the Belgian Government, be assigned by the Government of Rwanda to functions other than those for which they have been approved.

Article 11

If any approved technician is physically incapacitated for further service by illness or disability, his service shall be terminated.

Such incapacity shall be attested by a medical certificate drawn up by a medical practitioner approved by the Belgian Government.

Article 12

The Government of Rwanda may at any time cease to employ an approved technician whose continued employment is deemed incompatible with the duties attached to his post.

Before taking a decision, the Government of Rwanda shall advise the Belgian Government, through its representative, of the measure it proposes to take.

If the representative of the Belgian Government so requests, the case shall be brought before the Mixed Commission provided for in article 19, which shall be allowed a period of fifteen days in which to give its opinion.

If no compromise is reached, the Government of Rwanda shall, after consulting the said Commission if the case so requires, communicate its decision to the person concerned and to the Belgian Government. The reasons for the decision shall be given. It shall take effect fifteen days after communication.

The Belgian Government shall determine whether action should be taken to fill the post rendered vacant by that decision.

Article 13

The Belgian Government may at any time withdraw its approval from an approved technician if it feels unable to vouch for him any longer.

Before taking a decision the Belgian Government shall, through its representative, advise the Government of Rwanda of the measure it proposes to take.

If the Government of Rwanda so requests, the case shall be brought before the Mixed Commission provided for in article 19, which shall be allowed a period of fifteen days in which to give its opinion.

If no compromise is reached, the Belgian Government shall, after consulting the said Commission if the case so requires, communicate its decision to the person concerned and to the Government of Rwanda. The reasons for the decision shall be given. It shall take effect fifteen days after communication.

Article 14

The Government of Rwanda shall provide the Belgian Government with such information as may help it to determine the situation of the approved technicians under Belgian law.

Article 15

The provisions of articles 7, 10 and 12 shall not apply to approved technicians who are bound by a contract of service concluded with a person other than the Rwandese Government save in so far as is compatible with the provisions of the agreements concluded between the Government and the said person. The same shall apply to technicians approved for employment with semi-public organizations or incorporated services in so far as is compatible with the statutory provisions governing such organizations or services.

In any case the Government of Rwanda may withdraw, in accordance with the procedure provided for in article 12, its acceptance of the services of such technicians under the scheme of assistance in the matter of personnel. Such a decision shall automatically entail withdrawal of the approval granted to the persons concerned by the Belgian Government.

TITLE II

FINANCIAL PROVISIONS

Article 16

Unless they are renewed by agreement between the Contracting Parties, the provisions of this title shall cease to have effect on 30 June 1963 with respect to technicians approved for teaching duties and on 31 December 1963 with respect to other approved technicians.

However, with respect to technicians approved for teaching duties who have not completed the current school year by 30 June 1963, each Party shall continue to bear the obligations prescribed in this title until the end of that school year or 15 July 1963, whichever is the earlier.

Article 17

1. The Belgian Government shall grant approved technicians, for the duration of their service in the approved capacity, the benefits prescribed by the regulations; these benefits shall be determined by reference to the salary scales laid down by the statutory provisions applicable to career staff in the Africa service which were in force on 30 June 1962 with respect to such staff serving in Rwanda.

Family allowances shall be computed in accordance with the same statutory provisions.

The provisions fixing the benefits provided for in the preceding sub-paragraphs shall be communicated by the Belgian Government to the Government of Rwanda, together with any amendments that may be made to them.

2. The professional tax accruing to the Rwanda Treasury on the salaries and allowances referred to in paragraph 1 shall be assessed, in accordance with Rwandese tax legislation, on the whole of such income. The amount of this tax shall be paid to the country, in its currency, after deduction of the Belgian professional tax levied on that part of the salaries and allowances which is paid directly in Belgium in accordance with the regulations.

3. As an exceptional measure the Belgian Government shall bear the cost of the travel of approved technicians and members of their families from their place of

residence in Europe to their duty station in Rwanda and back. It shall do so upon the conditions and within the limits laid down by the provisions of the staff regulations of the Africa Administration applicable to personnel serving in Rwanda. Upon the same conditions and within the same limits the Belgian Government shall bear the cost of transporting their baggage.

4. The Government of Rwanda shall reimburse the Belgian Government for the services of the approved technicians in a lump sum calculated by reference to the average cost of a Rwandese official performing equivalent functions.

Up to the date specified in article 16, this amount shall be 9,000 francs per person per month. It shall be determined according to the number of approved technicians in service on the first day of each month. Payment shall be made in local currency at the end of each month into an account opened by the Belgian Government at the local bank of issue or another bank.

5. The Government of Rwanda shall provide approved technicians and members of their families, for the duration of their service in the approved capacity, with housing in kind and with medicaments and orthopaedic and prosthetic appliances free of charge upon the same conditions as those laid down for officials of the Africa Administration serving in Rwanda by the statutory provisions applicable to them on 30 June 1962.

For the duration of their service, medical, surgical and obstetrical care shall be given to approved technicians and members of their families free of charge by medical practitioners serving in Rwanda and approved by the Belgian Government.

6. The Government of Rwanda shall grant approved technicians bonuses for work done at a higher level and compensation for special responsibilities and risks upon the conditions and at the rates laid down by the regulations governing Rwandese officials. It shall bear the cost of travel by approved technicians for official purposes within the country.

Article 18

The respective shares of the Belgian Government and the Government of Rwanda in the cost of employing the approved technicians referred to in article 15, other than those engaged as approved lay teachers under a contract of service concluded with a congregation or mission society, shall be determined by special agreements.

Article 19

In order to ensure that this Convention is applied in the best possible way, the Contracting Parties or their representatives shall hold regular exchanges of views.

Any problems which may arise in the application of this Convention shall be submitted to a mixed commission for its opinion. This commission shall be composed

of the representative of the Belgian Government and (or) his deputy and the representative of the Government of Rwanda and (or) his deputy.

Article 20

This Convention shall enter into force on 1 October 1962. Without prejudice to the provisions of article 16, it is concluded for an indefinite period.

Either Contracting Party may denounce it at any time by giving the other Party six months' notice.

DONE at Brussels in duplicate on 13 October 1962.

For Belgium :

(Signed) P. H. SPAAK
(Signed) M. BRASSEUR

For Rwanda :

(Signed) G. KAYIBANDA