

No. 11757

**FRANCE
and
CONGO**

**Agreement concerning state property. Signed at Brazzaville
on 15 August 1960**

Authentic text: French.

Registered by France on 19 April 1972.

**FRANCE
et
CONGO**

**Accord en matière domaniale. Signé à Brazzaville le
15 août 1960**

Texte authentique : français.

Enregistré par la France le 19 avril 1972.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE FRENCH REPUBLIC AND
THE REPUBLIC OF THE CONGO CONCERNING STATE
PROPERTY

The Government of the French Republic and

The Government of the Republic of the Congo,

Considering that, by virtue of the transfer agreement of 12 July 1960,² which entered into force on 14 August 1960, the Republic of the Congo has acceded to independence and that the French Republic has recognized its independence and sovereignty,

Have agreed as follows:

Article 1

There shall be established a Mixed Commission, on which both parties are equally represented which shall prepare a convention concerning State property within six months from the date of entry into force of this Agreement.

Article 2

The Mixed Commission shall prepare a list of immovables purchased or constructed with appropriations from the budget of the French State which are recognized as owned by the French Republic. It shall, as required, decide on any compensation which appears necessary to meet the needs of the parties concerned.

Article 3

The Commission shall provide for possession by the French Republic of such property that has reverted to the Republic of the Congo as is still

¹ Came into force on 24 January 1961, the date of the last of the notifications by which each Contracting Party notified the other of the completion of the procedures constitutionally required, in accordance with article 8.

² See p. 167 of this volume.

needed to meet the requirements of the services of the French Republic in the territory of that State.

Article 4

The Commission shall draw up a list of French public agencies which are administratively or financially autonomous whose property is deemed to be private property.

Article 5

The Republic of the Congo shall confirm the concessions granted prior to the date on which this Agreement takes effect. However, the Republic of the Congo shall reserve the right to decree, in the conditions specified in its domestic legislation, the total or partial withdrawal of unused concessions.

Disputes regarding the conditions in which concessions are withdrawn shall be brought before the limited membership Franco-Congolese Committee of the Mixed Commission provided for in article 25 of the agreement concerning co-operation in monetary, economic and financial matters.¹

Article 6

On the entry into force of this Agreement, the right of concession in respect of registered lands shall be exercised by the authorities of the Republic of the Congo.

Article 7

The provisions of this Agreement shall not apply to lands and buildings used for defence, which shall be the subject of special agreements.

Article 8

Each Contracting Party shall notify the other of the completion of the procedures constitutionally required for the entry into force of this Agreement, which shall take effect on the date of the last notification.

DONE at Brazzaville, on 15 August 1960.

For the Government
of the French Republic:

For the Government
of the Republic of the Congo:

J. FOYER

[Signed]
ABBÉ FULBERT YOLOU

¹ See p. 281 of this volume.