

**No. 16756**

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**FRANCE**  
**and**  
**CHAD**

**Convention on mutual administrative assistance in customs matters. Signed at N'Djamena on 6 March 1976**

*Authentic text: French.*

*Registered by France on 15 June 1978.*

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**FRANCE**  
**et**  
**TCHAD**

**Convention d'assistance administrative mutuelle en matière de douane. Signée à N'Djamena le 6 mars 1976**

*Texte authentique : français.*

*Enregistrée par la France le 15 juin 1978.*

[TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> ON MUTUAL ADMINISTRATIVE ASSISTANCE IN  
CUSTOMS MATTERS BETWEEN THE GOVERNMENT OF THE  
FRENCH REPUBLIC AND THE GOVERNMENT OF THE  
REPUBLIC OF CHAD

The Government of the French Republic, on the one hand,

The Government of the Republic of Chad, on the other,

Considering that offences against customs laws are an obstacle to economic and financial co-operation,

Convinced that such offences are prejudicial to the economic and fiscal interests of each Contracting Party and to the legitimate interests of trade,

Persuaded that the struggle against such offences would be rendered more effective by co-operation between their customs administrations,

Have agreed as follows:

*Article I.* The customs administrations of the Contracting Parties shall assist each other under the conditions laid down hereunder, for the purpose of preventing, investigating and punishing offences against the customs laws of their respective countries.

*Article II.* For the purposes of this Convention,

(a) "Customs laws" means all legal provisions and regulations governing the import, export or transit of goods, capital or monetary instruments, whether these laws concern the collection of duties or taxes, the application of measures of prohibition or inspection or exchange control;

(b) "Customs administrations" means those administrations which are responsible for applying the provisions referred to in subparagraph (a) above.

*Article III.* The customs administration of each Contracting Party shall, when expressly requested to do so, keep special watch over:

- (a) The movements and more particularly the entry into and departure from its territory of persons whom the requesting State suspects of being professionally or habitually involved in fraud in respect of its customs laws;
- (b) Suspicious movements of goods which the requesting State has indicated as being intended for large-scale traffic into that State in violation of the customs laws;
- (c) Ships, aircraft or other means of transport suspected of being used for smuggling.

They shall also seek to prevent or to report any clandestine export of goods presumed to have been illegally introduced into the customs territory of the other Contracting Party.

<sup>1</sup> Came into force on 27 January 1978, the date of the last of the notifications by which the two Contracting Parties informed each other of the fulfilment of the constitutional requirements, in accordance with article XII.

*Article IV.* The customs administrations of the Contracting Parties shall communicate to each other:

- (a) Voluntarily and immediately, all information which they might have on the subject of:
- Actual or planned illegal operations which are or seem to be of a fraudulent nature in respect of the customs laws of the other Contracting Party;
  - New means or methods of smuggling;
  - Categories of goods known to be the subject of fraudulent import, export or transit traffic;
  - Individuals, ships, aircraft or other means of transport suspected of being involved in or being used for smuggling;
- (b) Following a written request, and as speedily as possible, all information available from documents in their possession (papers, registers, declarations and other customs documents) relating to their external trade or duly certified or authenticated copies of the aforesaid papers, registers, declarations or documents.

*Article V.* 1. The customs administrations of the Contracting Parties shall take steps to ensure that the services exclusively or mainly responsible for investigating fraud are in personal and direct contact with each other for the purpose of exchanging information in order to prevent or expose offences against the customs laws of their respective countries.

2. The information referred to in article IV shall be communicated to the officials appointed for this purpose by each customs administration; a list of these officials shall be communicated to the administration of the other Contracting Party.

*Article VI.* Duly authorized officials of the customs administration of one of the Contracting Parties may, following a written request, obtain in the offices where inspections are carried out by the customs administration of the other Party, any information and evidence relating to offences against the customs laws contained in the papers, registers and other documents in the keeping of those offices.

The requesting officials shall be authorized to make copies of the papers, registers and other documents mentioned in the preceding paragraph.

*Article VII.* In order to facilitate the punishment of offences against the customs laws of the other Contracting Party, each customs administration shall institute or cause to be instituted, in so far as is possible under its own internal legislation, at the request of the other customs administration, inquiries or investigations, shall interrogate suspects, shall examine witnesses and shall notify the requesting administration of the results of these proceedings under the conditions laid down in article V above.

*Article VIII.* The customs administrations of the Contracting Parties may take into account as evidence, in their records, reports and testimony and during court procedures and proceedings, information obtained or provided and documents (or duly authenticated or certified copies) consulted or produced under the conditions laid down in articles IV, VI and VII above.

*Article IX.* The customs administrations of the Contracting Parties shall assist each other as regards the authorization and implementation of compromise

settlements reached with persons resident in the territory of the other Contracting Party, and as regards the recovery of fines payable in respect of such settlements.

*Article X.* The sphere of application of this Convention shall be extended:

- On the one hand, to French customs territory as established by the French customs laws and to its territorial waters; and
- On the other hand, to the customs territory of the Republic of Chad as defined by the customs laws of that State.

*Article XI.* The procedures for applying this Convention shall be arranged jointly by the representatives of the customs administrations of the Contracting Parties within the Franco-Chad Mixed Commission.

*Article XII.* This Convention is concluded for a period of one year renewable by tacit agreement unless it is terminated by one of the Contracting Parties. Notice of such termination shall be given through the diplomatic channels at least six months in advance.

Each of the two Contracting Parties shall notify the other of the fulfilment of the constitutional requirements for the entry into force of this Convention, which shall enter into force on the date of the last notification.

Either Contracting Party may, at any time, call for the amendment of one or more provisions of this Convention and the initiation of negotiations for the purpose.

DONE at N'Djamena on 6 March 1976, in two original copies, in the French language.

For the Government of the French Republic:

[Signed]

JACQUES CHIRAC  
Prime Minister

For the Government of the Republic of Chad:

[Signed]

General FELIX MALLOUM NGAKOUTOU BEY-NDI  
Chairman of the Supreme Military Council  
Head of State

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