

No. 16765

**FRANCE
and
DJIBOUTI**

**Agreement concerning transitional legal arrangements.
Signed at Djibouti on 26 January 1978**

Authentic text: French.

Registered by France on 15 June 1978.

**FRANCE
et
DJIBOUTI**

**Accord relatif aux mesures transitoires en matière de justice.
Signé à Djibouti le 26 janvier 1978**

Texte authentique : français.

Enregistré par la France le 15 juin 1978.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING TRANSITIONAL LEGAL ARRANGEMENTS BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF DJIBOUTI

The Government of the French Republic, on the one hand,
The Government of the Republic of Djibouti, on the other,
Have agreed as follows:

Article I. Until the inauguration by the Republic of Djibouti of a court competent to hear appeals against decisions rendered by the judicial courts of the Republic of Djibouti, such appeals shall be brought before a special division of the Court of Cassation consisting of three judges and one member of the State Counsel Division, active or honorary. However, appeals lodged prior to the date of entry into force of this Agreement shall remain within the jurisdiction of the regular divisions of the Court of Cassation.

If the decision is quashed, the case shall be referred back to a court of the Republic of Djibouti. If the Court to which the case is referred back is the one whose decision was quashed, its composition shall be changed. The Court to which the decision is referred back shall be bound, on the point of law adjudicated, by the cassation decision.

Article II. At the end of the transitional period provided for in the first paragraph of article I, an agreement between the French Republic and the Republic of Djibouti shall establish the conditions under which cases pending before the Court of Cassation shall be dealt with.

Article III. The transmittal and service of writs and extra-judicial documents, the transmittal and execution of letters rogatory, the appearance of witnesses in criminal matters, the formalities relating to entries in the judicial records and requests for extracts from the judicial records, entries and formalities relating to the civil register, legal aid, assistance of and representation by counsel and exemptions from authentication shall, until a new agreement has entered into force, be dealt with in accordance with the rules in force before the proclamation of the Republic of Djibouti.

¹ Came into force on 26 January 1978 by signature, in accordance with article IV.

Article IV. This Agreement shall enter into force on the date of its signature.
DONE at Djibouti on 26 January 1978, in two original copies.

For the Government of the French Republic:

[Signed]

IVAN BASTOUIL

Ambassador of France to Djibouti

For the Government of the Republic of Djibouti:

[Signed]

HASSAN GOULED APTIDON

President of the Republic of Djibouti
