

No. 20763

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**FRANCE  
and  
MALI**

**Convention on the movement of persons (with protocol concerning the employment and residence of employees and their families, exchange of letters and amendment of 1 February 1979). Signed at Bamako on 11 February 1977**

*Authentic text: French.*

*Registered by France on 25 February 1982.*

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**FRANCE  
et  
MALI**

**Convention relative à la circulation des personnes (avec protocole relatif à l'emploi et au séjour des travailleurs salariés et de leurs familles, échange de lettres et avenant du 1<sup>er</sup> février 1979). Signée à Bamako le 11 février 1977**

*Texte authentique : français.*

*Enregistré par la France le 25 février 1982.*

[TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FRENCH  
REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF  
MALI ON THE MOVEMENT OF PERSONS

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

The Government of the Republic of Mali, on the other hand,

Considering the bonds of friendship existing between the two countries,

Desiring to establish regulations relating to the movement of persons  
between the two countries on the basis of reciprocity, equality and mutual respect,

Have agreed on the following provisions:

*Article 1.* Whatever their country of residence, the nationals of one Party, in order to enter the territory of the other, must be in possession of a passport whose validity has not expired and the compulsory international vaccination certificates required by the legislation in force in the State which they are entering. They must also provide a guarantee of repatriation.

*Article 2.* Any of the following three documents shall constitute a guarantee of repatriation:

- (1) An individual and non-transferable circular or return travel ticket valid for one year, in respect of transit or stays not exceeding three months;
- (2) A receipt for a deposit, issued by the Deposit and Consignment Office in Paris in respect of French nationals, and by the Treasury of the Republic of Mali (Deposit and Consignment Office) in respect of Malian nationals;  
The amount of such deposit shall be equivalent to the cost of a tourist-class air ticket from Paris to Bamako or from Bamako to Paris;
- (3) A statement from a banking establishment recognized by the State of origin guaranteeing the repatriation of the person concerned if he should be unable to bear the cost of repatriation himself.

*Article 3.* The following persons shall not be required to provide a guarantee of repatriation:

- (1) Statesmen and Members of Parliament of the two countries;
- (2) Diplomatic and consular officials and their families;
- (3) Civilian and military officials, officers and employees of the public institutions of each State and their families who have a mission order or travel warrant;
- (4) Students or trainees designated by their Government and travelling from one State to the other in order to receive training who have an official document attesting to such designation, issued by their national authorities;
- (5) Seamen under the conditions defined in article 9 below.

<sup>1</sup> Came into force on 1 July 1981, i.e., the first day of the second month following the exchange of the instruments of approbation and ratification, which took place at Paris on 19 May 1981, in accordance with article 12.

*Article 4.* For any stay in French territory to exceed three months, Malian nationals must be in possession of and present on demand the residence permit issued by the competent French authorities.

For any stay in Malian territory to exceed three months, French nationals must be in possession of and present on demand the residence permit or alien's identity card issued by the competent Malian authorities.

*Article 5.* French nationals wishing to establish themselves in Mali and Malian nationals wishing to establish themselves in France in order to engage in a self-employed activity there or without engaging in a gainful activity must, on expiry of the three-month period stipulated in article 4 above, provide all necessary proof of their means of support.

*Article 6.* Nationals of each Contracting Party wishing to enter the territory of the other Party to pursue studies must, in order to be admitted to the territory of that Party when they have not been designated by their Government, be in possession of, in addition to the documents stipulated in articles 1 and 2 of this Convention, a certificate issued by the educational institution which they are to attend. Certificates issued by private establishments must bear the stamp of approval of the competent authorities of the two Parties.

*Article 7.* 1. Nationals of each Contracting Party wishing to engage in a professional activity in the territory of the other Party must, in order to be admitted to the territory of that Party, prove that they are in possession of, in addition to the documents stipulated in articles 1 and 2 of this Convention, a medical certificate issued:

- (a) In respect of entry into France, by the competent French Consul, after an examination in Malian territory by a physician approved by the Consul in agreement with the Malian health authorities;
- (b) In respect of entry into Mali, by the competent Malian Consul, after an examination in French territory by a physician approved by the Consul in agreement with the French health authorities.

Such certificate shall be drawn up within the two months preceding the date of departure.

2. Nationals of one Party wishing to engage in a paid professional activity as an employee in the territory of the other Party must, in order to be admitted to the territory of that Party, prove that, in accordance with article 1 of the attached Protocol, which is an integral part of this Convention, they are in possession of, in addition to the documents stipulated in articles 1 and 2 and in paragraph 1 of the present article, a written contract of employment bearing the stamp of approval of the Ministry of Labour of the State where the place of employment is located.

*Article 8.* The families of nationals of one Contracting Party wishing to join the head of the family established in the territory of the other Party must, in order to be admitted to that territory, prove that they are in possession of, in addition to the documents stipulated in articles 1 and 2 of this Convention, a housing certificate bearing the stamp of approval of the competent authorities of the State which they are entering and the medical certificate stipulated in article 7, paragraph 1, above.

*Article 9.* On presentation of their seamen's book and the required vaccination certificates, Malian seamen shall be authorized to enter France and French seamen shall be authorized to enter Mali if they are in possession of one of the following:

- A letter attesting to permanent employment by a shipping company;
- A contract of employment in good and due form;
- A letter guaranteeing their immediate embarkation on a specific ship, from a shipping company or a shipowner established in the territory of one of the Contracting Parties.

These conditions may be met through the issue of a travel order by the competent maritime authority.

Malian seamen disembarking in France and French seamen disembarking in Mali, for any reason other than a disciplinary or penal reason, shall be free to remain in either of the two countries for a period of one month from the day after their disembarkation, as duly recorded in their seamen's book by the competent authority. If this period has expired, or if the date of disembarkation has not been recorded in the book, the seaman may be repatriated at any time by the competent authorities of the country of disembarkation, at the expense of his most recent employer.

*Article 10.* The provisions of the preceding articles do not affect the right of the Contracting Parties to take measures necessary for the maintenance of public order and for the protection of health and public security.

*Article 11.* Nationals of one Contracting Party residing in the territory of the other Party on 1 January 1975 shall automatically be granted a renewable residence permit valid for a period of not less than five years.

This document must be requested within a period not exceeding six months from the entry into force of this Convention.

*Article 12.* This Convention rescinds and supersedes the Agreement of 8 March 1963 on the movement of persons.

It is concluded for a period of two years which may be renewed by tacit agreement unless denounced by one of the Parties.

Notice of denunciation shall be given through the diplomatic channel at least six months in advance.

This Convention shall enter into force on the first day of the second month following the exchange of instruments of approval or ratification, which shall take place in Paris as soon as possible.

DONE at Bamako on 11 February 1977 in two originals.

For the Government  
of the French Republic:

[Signed]

ROBERT MAZEYRAC  
Ambassador of France to Mali

For the Government  
of the Republic of Mali:

[Signed]

Colonel CHARLES SAMBA CISSOKO  
Minister for Foreign Affairs  
and Co-operation

PROTOCOL BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF MALI CONCERNING THE EMPLOYMENT AND RESIDENCE OF EMPLOYEES AND THEIR FAMILIES

The Government of the French Republic and  
The Government of the Republic of Mali,  
Desiring:

To put an end to clandestine migration and illegal practices pertaining to the entry of workers and their employment;

To establish equality of treatment in the matter of remuneration;

To improve their living and working conditions;

To promote the full employment of Malian workers already residing in France or who are admitted by the National Immigration Office;

To facilitate their professional and social advancement; and

To establish conditions favourable to the reuniting of families and the residence of workers' families;

Have agreed as follows:

*Article 1.* Nationals of one Party wishing to engage in a professional activity as an employee in the territory of the other Party must, in order to be admitted to the territory of that Party, prove that they are in possession of, in addition to the documents stipulated in articles 1, 2 and 7, paragraph 1, of the Convention on the movement of persons<sup>1</sup>, a written contract of employment bearing the stamp of approval of the Ministry of Labour of the State where the place of employment is located. The employer shall be responsible for submitting the contract to the Ministry of Labour for its stamp of approval.

The Ministries of Labour of the Contracting Parties may consult each other directly.

*Article 2.* The documents stipulated by such legislation as exists which authorize professional activity as an employee shall be delivered to the persons concerned on presentation, at the time of their arrival, of the contract of employment specified in article 1 and shall bear the indication "employee". They shall be renewed under the conditions stipulated by the legislation of the State of residence.

*Article 3.* Each Contracting Party shall make every effort to uncover and pursue in its territory illegal practices pertaining to the migration of its nationals for purposes of employment and illegal practices to which employees who are nationals of the other Party are subjected.

To this end, they shall take joint action by exchanging information on such practices and the means of remedying them.

*Article 4.* Non-discrimination in the remuneration of employees shall be guaranteed.

<sup>1</sup> See p. 274 of this volume.

*Article 5.* Families authorized to join the workers shall be issued residence permits of identical validity to that of the permits of the heads of families.

*Article 6.* An effort shall be made to assist Malian workers, using increased resources, in order to develop adult education, vocational preparation and training, and access to various courses for professional advancement and to bring about steady improvements in the living and housing conditions of those workers and their families.

*Article 7.* Appropriate measures shall be adopted with a view to developing a cultural policy favourable to Malian workers and their families, with particular emphasis on the maintenance of social and cultural ties with the country of origin.

*Article 8.* An administrative commission shall meet every two years, in Mali and in France alternately, and, exceptionally, at the request of one of the Parties, to examine any difficulties which may arise in the application of this Protocol.

*Article 9.* This Protocol shall enter into force and shall apply under the same conditions as the Convention on the movement of persons.

DONE at Bamako on 11 February 1977.

For the Government of the French Republic:

[Signed]

ROBERT MAZEYRAC  
Ambassador of France to Mali

For the Government of the Republic of Mali:

[Signed]

Colonel CHARLES SAMBA CISSOKO  
Minister for Foreign Affairs and Co-operation

## EXCHANGE OF LETTERS

## I

## FRENCH EMBASSY IN MALI

Bamako, 11 February 1977

0209

Sir,

During the discussions which culminated in the conclusion of the Convention on the movement of persons and the Protocol attached thereto, signed today, you informed me of your concern about the arrangements which the Government of the Republic of Mali wished to see made to facilitate the granting of contracts of employment in France to Malian nationals.

I have the honour to inform you that the French Government will do everything within its power to accede to the wishes you expressed to the extent compatible with economic and social conditions in France.

To that end, a close associate of the Consul General of France in Bamako will be designated as liaison officer in Mali of the French National Immigration Office (ONI). This liaison officer will be responsible for all the procedures specified in article 7, paragraph 2, of the above-mentioned Agreement and article 1 of the Protocol which can be carried out in Bamako. He will also act as a liaison officer between the competent French and Malian services with regard to opportunities and requests for employment.

In addition, the Director of the National Immigration Office will, from time to time, dispatch one of the Office's senior officials to Bamako on short-term missions for the purpose of considering specific matters that may arise in connection with the application of the procedures provided for in these articles.

I shall be grateful if you would kindly inform me whether these proposals meet with your Government's approval.

Accept, Sir, etc.

[Signed]

ROBERT MAZEYRAC  
Ambassador of France to Mali

His Excellency Colonel Charles Samba Cissoko  
Member of the Military Committee for National Liberation  
Minister for Foreign Affairs  
and International Co-operation  
of the Republic of Mali  
Koulouba

## II

## REPUBLIC OF MALI

One People — One Goal — One Faith

MINISTRY OF FOREIGN AFFAIRS AND CO-OPERATION

GENERAL OFFICE OF FOREIGN AFFAIRS

Minister of Foreign Affairs and Co-operation

Koulouba, 11 February 1977

Sir,

I have the honour to refer to your letter of 11 February 1977, the text of which follows:

[*See letter I*]

The Government of the Republic of Mali agrees to the above proposals, and your above-mentioned letter, together with this acknowledgement of receipt, shall constitute an agreement on this matter between our two Governments.

Accept, Sir, etc.

[*Signed*]

Colonel CHARLES SAMBA CISSOKO

His Excellency Mr. Robert Mazeyrac  
Ambassador of France to Mali  
Bamako



AMENDMENT TO THE CONVENTION ON THE MOVEMENT OF PERSONS, SIGNED ON 11 FEBRUARY 1977, BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC, ON THE ONE HAND, AND THE GOVERNMENT OF THE REPUBLIC OF MALI, ON THE OTHER HAND

*Article 1.* A second paragraph, worded as follows, shall be added to article 1 of the Convention between the Government of the French Republic and the Government of the Republic of Mali on the movement of persons, signed at Bamako on 11 February 1977:

“In addition, when the nationals of one Party intend to stay more than three months in the territory of the other, they must have an entrance visa placed in their passport.”

*Article 2.* This Amendment shall enter into force at the same time as the Convention it modifies and shall remain in force as long as that Agreement.

DONE at Bamako on 1 February 1979.

[Signed]

ROBERT MAZEYRAC  
Ambassador of the French Republic to Mali

[Signed]

ALIOUNE BLONDIN BEYE  
Minister for Foreign Affairs and Co-operation