

No. 20938

**FRANCE
and
WESTERN EUROPEAN UNION**

**Agreement on social security. Signed at Paris on 21 July
1979**

Authentic text: French.

Registered by France on 4 March 1982.

**FRANCE
et
UNION DE L'EUROPE OCCIDENTALE**

Accord de sécurité sociale. Signé à Paris le 21 juin 1979

Texte authentique : français.

Enregistré par la France le 4 mars 1982.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE WESTERN EUROPEAN UNION

The Government of the French Republic on the one part,

The Western European Union on the other,

In view of the Agreement concluded on 9 June 1958 between the Government of the French Republic and the Western European Union concerning the application of French social security legislation to personnel employed by the Western European Union in France;

In view of the Agreement entered into on 30 November 1967 by an exchange of letters between France and the Western European Union,² supplementing the Agreement of 9 June 1958, concerning the participation of the staff of the Union in the French superannuation assurance scheme;³

Whereas the Organization has instituted for its staff a pension scheme to take effect from 1 July 1974;

Desiring to clarify the situation of members of the staff of the Organization in respect of French social security legislation,

Have agreed as follows:

Article 1. INSURANCE AGAINST SICKNESS, MATERNITY, INVALIDITY AND DEATH

1. The following persons shall be subject to French legislation as relates to insurance against sickness, maternity, invalidity and death:

(a) Members of the permanent staff,

(b) Members of the temporary staff,

who carry on their activity in French territory.

2. Cash benefits paid in the event of permanent invalidity by the Organization's pension scheme may be received concurrently with a pension acquired by members of the staff of the Western European Union by virtue of their being subject to the invalidity insurance provisions of the French general scheme.

Article 2. FAMILY BENEFITS

1. Members of the permanent staff who carry on their activity in French territory shall be insured, in respect of family benefits, under the special scheme instituted by the Western European Union (WEU).

2. Members of the temporary staff who carry on their activity in French territory shall be subject to the provisions of French legislation concerning family benefits.

¹ Came into force on 1 February 1981, i.e., the first day of the month following the date of receipt of the last of the notifications by which the Parties notified each other of the completion of the required constitutional procedures, with retroactive effect from 1 January 1979, in accordance with article 7 (1) and (2).

² United Nations, *Treaty Series*, vol. 1306, No. I-21769.

³ *Ibid.*, No. I-21770.

Article 3. ACCIDENTS AT WORK AND OCCUPATIONAL DISEASES

1. The following persons shall be subject to the provisions of Book IV of the Social Security Code, concerning the prevention of and compensation for accidents at work and occupational diseases:

(a) Members of the permanent staff,

(b) Members of the temporary staff,

who carry on their activity in French territory.

2. Pensions or compensation due to the victims of accidents at work or of occupational diseases, as well as to their dependants, as defined by French law, shall be continued and paid to members of the staff of the Western European Union who leave French territory in their country of residence, with increases and supplementary allowances as required.

Article 4. SUPERANNUATION ASSURANCE—TRANSITIONAL PROVISIONS

1. Members of the permanent staff of the Western European Union employed at 31 December 1978 who have joined the French voluntary superannuation assurance scheme shall have the right to continue to contribute to that scheme.

2. Members of the permanent staff employed at 31 December 1978 who had not applied for insurance under the French scheme shall be able to do so with the option of buying back periods of activity in the Organization not validated under the Organization's pension scheme in accordance with the terms defined in article 5, § 5, of the present Agreement.

3. The persons concerned shall have a period of six months from the date of publication of the Agreement to exercise that option.

4. Contributions paid to the French superannuation assurance scheme (compulsory or voluntary) for periods of activity within the Co-ordinated Organizations shall be cancelled if the persons concerned so request within the six-month period following the publication of the Agreement.

5. Contributions which are cancelled in accordance with the provisions of paragraph 4 of this article shall be reimbursed by the competent French insurer.

Such reimbursement shall be made to the Organization for the account of the persons concerned in accordance with terms directly agreed upon between the Secretary-General of the Organization and the competent French authorities.

Article 5. SUPERANNUATION ASSURANCE—PERMANENT PROVISIONS

1. Members of the permanent staff of the Western European Union recruited starting 1 January 1979 and insured under the Organization's pension scheme may not, starting from that date, join the French voluntary superannuation assurance scheme.

2. Temporary staff members who carry on their activity in French territory shall be subject, in respect of superannuation, to compulsory insurance under the French general scheme.

3. Members of the staff of the Western European Union not insured under the French superannuation assurance scheme and their dependants, if any, shall have the right to apply, within a period of six months from the date on which they leave the Organization, for repurchase of the contributions to the French superannuation assurance scheme which pertain to the period of service completed for the Western European Union and do not give rise to entitlement to a length-of-service pension under the Organization's pension scheme.

In no case shall the said right have the effect of calling into question the validity of the provisions of paragraph 1 of this article.

4. The amount of retroactive payments shall be calculated, for all the periods repurchased, on the basis of the remunerations for the employment position occupied by the persons concerned immediately before leaving the Organization, in accordance with the terms defined by French legislation for the repurchase of voluntary superannuation assurance contributions.

5. The manner of making such payments to the social security institutions shall be determined directly between the Secretary-General of the Organization and the competent French authorities.

6. Invalidity pensions and old-age pensions, including any increases or supplementary allowances, acquired under French social security legislation by members of the staff of the Organization or their dependants shall be continued and paid to the persons concerned in their country of residence, should they leave French territory.

Article 6

Any difficulties relating to the application of the present Agreement shall be settled directly between the competent French authorities and the Secretary-General of the Western European Union.

Article 7

1. This Agreement shall enter into force on 1 January 1979. Its provisions shall supersede those of the Agreement signed at Paris on 9 June 1958 between the two Parties and those of the Agreement by exchange of letters dated 30 November 1967 between the competent French authorities and the Secretary-General of the Western European Union respecting the participation of staff members in the French voluntary superannuation assurance scheme, which are abrogated.

2. Each of the parties shall, as relates to itself, notify the other of the accomplishment of the procedures required for the entry into force of this Agreement, which shall take place on the first day of the month following the date of receipt of the last such notification.

3. This Agreement is concluded for a period of one year from the date on which it enters into force. It shall be deemed tacitly renewed from year to year unless notice of termination is given three months before the expiry of any such yearly period.

DONE at Paris on 21 June 1979, in two original copies in the French language.

For the Government
of the French Republic:

[Signed]

CLAUDE CHAYET

For the Western European
Union:

[Signed]

EDOUARD LONGERSTAEY