

No. 21769

**FRANCE
and
WESTERN EUROPEAN UNION**

Agreement on the application of French social security legislation to personnel employed by the Union in France. Signed at Paris on 9 June 1958

Termination (*Note by the Secretariat*)

Authentic text: French.

Registered by France on 30 March 1983.

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

Accord sur l'application de la législation française de sécurité sociale au personnel employé par cette Organisation en France. Signé à Paris le 9 juin 1958

Abrogation (*Note du Secrétariat*)

Texte authentique: français.

Enregistré par la France le 30 mars 1983.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE WESTERN EUROPEAN UNION ON THE APPLICATION OF FRENCH SOCIAL SECURITY LEGISLATION TO PERSONNEL EMPLOYED BY THE UNION IN FRANCE

The Government of the French Republic and the Western European Union,

Wishing to ensure the safeguard of personnel employed by the Union in France against social risks and having decided to conclude an agreement for the application of French social security legislation to such personnel, have for this purpose appointed as their representatives:

The Government of the French Republic: Mr. Louis Joxe, Ambassador of France, Secretary-General of the Ministry of Foreign Affairs;

The Western European Union: Mr. Louis Goffin, Ambassador of Belgium, Secretary-General of the Western European Union,

who have agreed as follows:

Article 1. The present Agreement shall apply to persons employed in France by the Western European Union.

Article 2. Western European Union staff members employed in France shall be subject to French social security legislation with the exception of the legislation on family allowances and on superannuation assurance.

Article 3. Contributions paid to the French superannuation scheme on behalf of the staff members referred to in article 2 above during their employment within the Union before the entry into force of the Union's Provident Fund may be cancelled if the persons concerned so request.

The reimbursement of such contributions shall be made to the representative of the Western European Union qualified for that purpose in accordance with terms directly agreed upon between the Secretary-General of the Western European Union and the Ministry of Labour and Social Security.

Article 4. If the staff members referred to in article 2 are not entitled, at the end of their working life in the Western European Union, to any pension under the Union's retirement scheme and have not in good time joined the voluntary insurance scheme of the French system or of their national system, they shall have the option to buy back into the French compulsory superannuation scheme for the period of service completed in the Union.

The amount of retroactive payments shall be calculated, for all the periods repurchased, on the basis of the emoluments of the employment position occupied by the persons concerned immediately before leaving the Western European Union, within the limits of the maximum contribution existing on the date of application for repurchase, and of the fraction of the twofold social insurance

¹ Came into force on 9 June 1958 by signature, in accordance with article 11.

contribution allocated to the superannuation risk. The manner of making such payments to the competent social security institutions shall be determined directly between the Secretary-General of the Western European Union and the Minister of Labour and Social Security.

Article 5. In the matter of family allowances and superannuation risk, staff members of the Western European Union shall enjoy the benefit of the special scheme instituted by that organization.

Article 6. Staff members of the Western European Union who are not French nationals shall not be subject to provisions of French law concerning industrial accidents and occupational diseases which subject aliens to restriction or forfeiture of rights by reason of their residence.

Increases or supplementary allowances granted under French legislation to supplement industrial accident annuities shall be maintained for staff members of the Western European Union who are not French nationals and who transfer their residence from France to the territory of another State member of the Union, even if they cease to belong to the staff of the Western European Union.

Article 7. Invalidity pensions and industrial accident annuities, including increases and supplementary allowances, acquired under French social security legislation in accordance with the provisions of the present Agreement by staff members of the Western European Union who transfer their residence out of France shall be paid, notwithstanding all contrary provisions, in their country of residence. The manner of transfer of sums due to the staff members referred to in the preceding paragraph shall be decided by agreement between the Secretary-General of the Western European Union and the competent French ministers.

Article 8. The Minister of Labour and Social Security of the French Government and the Secretary-General of the Western European Union shall directly determine the measures for the application of this Agreement.

Article 9. All difficulties relating to the application of the present Agreement shall be settled, by mutual consent, by the Minister of Labour and Social Security of the French Government and the Secretary-General of the Western European Union.

Article 10. This Agreement shall be subject to ratification by the President of the French Republic. It shall be further subject to approval by a resolution of the Council of the Western European Union; the resolution shall be transmitted to the Government of the French Republic by the Secretary-General of the Western European Union, to whom the instruments of ratification of the President of the French Republic shall be delivered.

Article 11. This Agreement shall enter into force on the date of its signature, subject to the provisions of article 12.

Article 12. Notwithstanding the provisions of article 11 above, the provisions of this Agreement may be invoked by the Parties as from 1 August 1955. Furthermore, owing to the absence, during the initial period of operation of the services of the Western European Union, of the special scheme covering superannuation risks mentioned in article 5 above, the provisions of this Agreement shall be extended, for the period from 1 August 1955 to 30 September 1956, to the guarantee of superannuation assurance, without prejudice to the provisions of article 3.

Article 13. 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.

In the event of termination, the provisions of this Agreement shall remain applicable to rights acquired hereunder, notwithstanding any restrictive provisions that may be contained in French social security legislation in respect of an insured person living abroad.

DONE at Paris, in duplicate, on 9 June 1958.

[LOUIS JOXE]

[LOUIS GOFFIN]

TERMINATION of the Exchange of letters of 9 June 1958 constituting an agreement 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 Union in France¹

(Note by the Secretariat)

The Government of France registered on 4 March 1982 the Agreement on social security between the Government of the French Republic and the Western European Union signed at Paris on 21 June 1979.²

The said Agreement, which came into force on 1 February 1981, provides, in its article 7 (1), for the termination of the above-mentioned Agreement of 9 June 1958.

(30 March 1983)

¹ See p. 167 of this volume.

² United Nations, *Treaty Series*, vol. 1268, No. I-20938.