

No. 33850

**FRANCE
and
CENTRAL AFRICAN REPUBLIC**

Convention on establishment. Signed at Bangui on 26 September 1994

Authentic text: French.

Registered by France on 19 June 1997.

**FRANCE
et
RÉPUBLIQUE CENTRAFRICAINE**

Convention d'établissement. Signée à Bangui le 26 septembre 1994

Texte authentique : français.

Enregistrée par la France le 19 juin 1997.

[TRANSLATION — TRADUCTION]

CONVENTION¹ ON ESTABLISHMENT BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE CENTRAL AFRICAN REPUBLIC

The Government of the French Republic, on the one hand, and
The Government of the Central African Republic, on the other,
Considering the ties of friendship existing between the two countries,

Desiring to give their respective nationals in the territory of the other State a status in keeping with the relations between the two countries based on reciprocity, equality, mutual respect and mutual interest,

Have agreed on the following provisions:

Article 1

All nationals of one of the Contracting Parties shall, in the territory of the other Party, enjoy civil liberties under the same conditions as the nationals of that State.

In accordance with the principles set forth in the Universal Declaration of Human Rights, the free exercise of cultural, religious, economic, professional and social activities, and the individuals and civil liberties such as freedom of thought, conscience, religion, opinion, expression, assembly and association and the freedom to form or join trade unions shall be specifically guaranteed.

These rights and freedoms shall be exercised in accordance with the laws in force in the territory of each Contracting Party.

Article 2

The nationals of either Contracting Party may enter the territory of the other Party, travel and reside therein in the place of their choice, and leave at any time, under the conditions defined in the Convention on the movement and stay of persons of 24 September 1994.²

This provision shall not impair the right of each State to take measures justified for the maintenance of law and order and the protection of public health and safety.

Article 3

The nationals of either Contracting Party shall enjoy in the territory of the other Party the effects of their personal status insofar as these effects shall not be contrary to the domestic laws of the host country and to the provisions of the Convention on the movement and stay of persons concluded between the two Parties.

The nationals of either Contracting Party shall enjoy in the territory of the other Party, under the same conditions as nationals of that Party, the right to invest capital, to acquire, possess, manage or rent movable and immovable property, rights and

¹ Came into force on 1 May 1996 by notification, in accordance with article 11.

² See p. 229 of this volume.

interests, and to use and dispose thereof, unless urgent reasons of national interest require departure from that rule.

The nationals of either Contracting Party shall have access to the courts of law of the other Party under the same conditions as the nationals of that Party.

Article 4

Each Contracting Party shall undertake to accord in its territory just and equitable treatment to the property, rights and interests of nationals of the other Party, to grant them the full protection of the law and the courts and to ensure that there shall be no impediment to the exercise of the rights thus recognized.

Article 5

Nationals of each of the two Contracting Parties may, in the territory of the other Party, engage in commercial, agricultural, industrial and handicraft activities and paid employment, except when the economic and social situation of the Party justifies a departure from that rule.

The nationals of either Contracting Party shall be authorised to practice a profession in the territory of the other Party in the manner specified by the laws of that Party.

Article 6

No national of either Contracting Party may be the object in the territory of the other Party of any arbitrary or discriminatory measure of a kind liable to endanger his property or his interests, in particular those consisting directly or indirectly of a share in the assets of a company or other legal entity. Such property may be expropriated for public purposes or nationalized only if fair compensation is paid in advance.

Article 7

When either Party decides to expel a national of the other Party, it shall immediately notify the competent consular authority, except in a case of absolute emergency.

Article 8

Bodies corporate of each Contracting Party shall have the same status as individuals of that Party with regard to all the rights set forth in this Convention that may apply to bodies corporate.

Article 9

Any points that have not been covered in this Convention shall be governed by the domestic legislation of each State.

In all cases, the provisions of the domestic legislation of the two States may not be country to the terms of this Convention.

Article 10

In the event of any difficulty, the two Parties seek a friendly settlement through the diplomatic channel as may, if necessary, convene an *ad hoc* commission at the request of either Party.

Article 11

This Convention is applicable throughout France and the General African Republic.

In the case of France, in accordance with the provisions of article 3 of amended Order No. 45/2658 of 2 November 1945, the term "France" means the metropolitan territory and the Overseas Departments.

This Convention replaces and abrogates the Convention on establishment between France and the Central African Republic of 13 August 1960,¹ and replaces the multilateral Agreement on the fundamental rights of nationals of States of the Community of 22 June 1960 in relations between the two Contracting Parties.

It is concluded for a period of five years from the date of its entry into force. It may be renewed annually by tariff agreement, unless it is denounced by one of the Contracting Parties.

Notification of such denunciation shall be made through the diplomatic channel six months prior to the expiry of each period.

Each Party shall inform the other when it has completed the internal procedures required for the implementation of this Convention, which shall enter into force of the first day of the second month following receipt of the last notification.

DONE at Bangui, on 26 September 1994, in two original copies.

For the Government
of the French Republic:
JEAN-PAUL ANGELIER
Ambassador
Representative of France
in the Central African Republic

For the Government
of the Central African Republic:
SIMON BEDAYA-NGARO
Minister for Foreign Affairs
responsible for French-
speaking-community affairs

¹United Nations, *Treaty Series*, vol. 814, p. 365.