

MULTILATERAL AGREEMENT ON THE FUNDAMENTAL RIGHTS OF NATIONALS OF THE COMMUNITY

The Governments of the Contracting States,

Considering that it is in conformity with the spirit of the Community that every national of one of the States of which it is composed should enjoy in the territory of all the other States fundamental rights, without prejudice to those which might be conferred upon him by virtue of conventions of establishment,

Desiring to define these rights,

Have agreed upon the following provisions:

Article 1.

Every national of a State of the Community shall enjoy civil liberties in the territory of each State of the Community under the same conditions as the nationals of that State.

In particular, in accordance with the Universal Declaration of Human Rights, the free exercise of cultural, religious, economic, professional and social activities, individual and public freedoms, such as freedom of thought, conscience, religion and worship, opinion, expression, assembly, association and trade union freedom, are guaranteed.

These rights and freedoms shall be exercised in accordance with the legislation in force in the territory of each of the contracting parties.

Article 2.

Any national of a State of the Community may freely enter the territory of any other State of the Community, travel there, establish his residence in the place of his choice and leave it.

This provision shall be without prejudice to the right of each State to take such measures as are necessary for the maintenance of law and order and the protection of public health, morals and safety.

Article 3.

Without prejudice to conventions between the contracting parties, each State of the Community shall determine by its legislation the conditions under which nationals of other States of the Community may exercise civil and political rights in its territory.

Article 4.

Every national of a State of the Community shall enjoy, in the territory of each State of the Community, full legal and judicial protection for his person, property and other interests.

He shall have access to the courts of any State of the Community under the same conditions as the nationals of that State.

He shall enjoy in the territory of each State of the Community the same treatment as the nationals of that State as regards in particular the right to invest capital, to acquire, to own, to manage or to lease all movable and immovable property, rights and interests, to enjoy and to dispose of the same.

Article 5.

Any national of a State of the Community shall benefit, on the territory of each State of the Community, under the same conditions as the nationals of that State, from any provisions making the State or a public authority liable for compensation for damage suffered by persons and property.

Article 6.

No national of a State of the Community may be subjected to any arbitrary or discriminatory measure likely to jeopardize his property or interests, in particular where these consist of a direct or indirect share in the assets of a company or other legal person. His property may not be expropriated in the public interest or nationalized unless fair compensation has been paid or guaranteed in advance.

Article 7.

The present agreement shall be open for signature by any State of the Community as from 1960.

It shall enter into force, as far as they are concerned, from the date on which at least two signatory States have informed the Depository Government that they have completed the constitutional formalities required for this purpose.

It shall take effect in respect of each other signatory State on the day on which the latter has made such communication.

Article 8.

With the unanimous consent of the contracting parties and subject to reciprocity, the provisions of the present agreement may be extended to the nationals of other States, in particular African States.

Article 9.

The present agreement shall be deposited in the archives of the Government of the Republic of Madagascar, which shall deliver a certified copy to each of the signatory States and to the States which become parties to it by virtue of Article 8.

Done on June 22nd 1960.

For the Government of the French Republic,

MICHEL DEBRÉ.

For the Government of the Federation of Mali,

MODIBO KEITA

For the Government of the Malagasy Republic,

PHILIBERT TSIRANANA.