

No. 13372

FRANCE
and
ITALY

**Exchange of letters constituting an agreement concerning
the construction of a joint national control office.
Paris, 28 September 1967**

Authentic text: French.

Registered by France on 31 May 1974.

FRANCE
et
ITALIE

**Échange de lettres constituant un accord relatif à la cons-
truction d'un bureau commun à contrôles nationaux
juxtaposés. Paris, 28 septembre 1967**

Texte authentique : français.

Enregistré par la France le 31 mai 1974.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹
BETWEEN FRANCE AND ITALY CONCERNING THE CON-
STRUCTION OF A JOINT NATIONAL CONTROL OFFICE

I

LIBERTY-EQUALITY-FRATERNITY

FRENCH REPUBLIC

MINISTRY OF FOREIGN AFFAIRS

Paris, 28 September 1967

Sir,

I have the honour to inform you that the French Government is prepared to construct together with the Italian Government, on the road over the pass of Montgenèvre, the joint national control office provided for in the Convention of 6 April 1956 and in the additional exchange of letters of 30 October 1958.²

The office, the construction of which shall begin as soon as possible, shall be situated in French territory between Clavières and Montgenèvre on the former Franco-Italian frontier of 1939. The attached plans,³ drawn up jointly by the French and Italian authorities, establish the exact site of the office and the technical specifications and procedures for its construction. Pursuant to the provisions of articles 14 and 15 of the Convention of 6 April 1956, title to the entire building, the cost of whose construction shall be borne equally by France and Italy, shall be vested in the French State. The two countries shall share equally the cost of constructing the office and the roads required for access to it. The work shall be carried out by French enterprises. The annexed documents³ provide an estimate of the cost of the work. The French Ministry of Economic Planning and Development (Ministère de l'Équipement) shall be in charge of the construction. If the Italian authorities deem it necessary to construct an additional parking lot, the cost of construction shall be borne by Italy.

The French Government shall grant the Italian Government the right to inspect and verify the progress of work when necessary in order to obtain information for the subsequent audit of the settlement of accounts and payment of expenses to be borne by the Italian Government. Final acceptance of the entire construction shall be effected by a Joint Commission composed of technical personnel of the two countries and payment of the final instalment due to the French enterprise shall be contingent on the said final acceptance.

¹ Came into force on 30 June 1973, the date of the last of the notifications by which the two Governments informed each other of the completion of the required constitutional procedures, in accordance with the provisions of the said letters.

² United Nations, *Treaty Series*, vol. 363, p. 3.

³ The Government of France indicated to the Secretary-General that it did not consider these annexes as being part of the Agreement registered.

The area provided for in article 2 of the Convention of 6 April 1956 shall be established in order to enable the competent Italian authorities to conduct inspections at the frontier.

The provisions of the Franco-Italian Convention of 11 October 1963¹ relating to joint control offices shall apply to this office. The joint Franco-Italian Commission provided for in article 27 of the Convention shall be responsible for solving any difficulties arising from the establishment and operation of the office.

The attached documents show the apportionment of the area of the building between the French and Italian authorities. The competent authorities of the two countries shall establish, by agreement between them and as necessary, such administrative, technical and other procedures for the use and operation of the office as have not been regulated by the 1963 Convention or the annexes to this exchange of letters.

I should be grateful if you would inform me whether these provisions meet with the approval of the Italian Government.

If so, this letter and the annexes thereto together with your reply in this regard shall be regarded as constituting an agreement between the two Governments as soon as the required constitutional procedures have been completed. The date of entry into force shall be that of the second notification of the completion of the said procedures.

Accept, Sir, etc.

[Signed]

HERVÉ ALPHAND
Ambassador of France
Secretary General of the Ministry of Foreign Affairs

His Excellency Mr. Giovanni Fornari
Ambassador of the Italian Republic
Paris

II

AMBASSADOR OF ITALY

Paris, 28 September 1967

Sir,

You have today sent me the following letter:

[See letter I]

I have the honour to inform you that the above provisions meet with the approval of the Italian Government. Your letter and the annexes thereto together with this reply shall be regarded as constituting an agreement between the two

¹ See p. 39 of this volume.

Governments as soon as both sides have completed the required constitutional procedures. The date of entry into force shall be that of the second notification of the completion of the said procedures.

Accept, Sir, etc.

[Signed]

GIOVANNI FORNARI

His Excellency Mr. Couve de Murville
Minister for Foreign Affairs
Paris