

No. 15171

**FRANCE
and
MONACO**

**Exchange of letters constituting an agreement concerning
the secondment of French judicial personnel to
Monaco. Monaco, 8 July 1976**

Authentic text: French.

Registered by France on 30 December 1976.

**FRANCE
et
MONACO**

**Échange de lettres constituant un accord relatif au détache-
ment de magistrats français à Monaco. Monaco, 8 juil-
let 1976**

Texte authentique : français.

Enregistré par la France le 30 décembre 1976.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS¹ CONSTITUTING AN AGREEMENT BETWEEN FRANCE AND MONACO CONCERNING THE SECONDMENT OF FRENCH JUDICIAL PERSONNEL TO MONACO

I

CONSULATE GENERAL OF FRANCE IN MONACO

Monaco, 8 July 1976

No. 222

Sir,

The Franco-Monegasque exchange of letters of 23 January 1970² amending the first paragraph of article 4 of the Treaty concluded on 28 July 1930³ between France and the Principality of Monaco stipulates that secondments effected in pursuance of that Convention shall normally be for a term of four years after which each period of secondment may be extended twice, for three years in the first instance and for two years in the second and final instance.

With a view to improving the operation of judicial services in the Principality of Monaco and, in accordance with the wish expressed by the Government of the Principality, the French Government has agreed that French judicial personnel seconded to the Principality shall be placed at the disposal of the Government of the Principality for renewable three-year periods. Owing to the nature of his functions, it has been deemed desirable that the methods of recruitment of the Director of Judicial Services should remain subject to the provisions laid down in the exchange of letters of 23 January 1970.

Accordingly, article 4 of the aforesaid Convention of 28 July 1930 shall be replaced by the following text:

“1. The Government of the French Republic is prepared to place at the disposal of the Government of the Principality, for a period of four years, selected personnel approved by His Serene Highness the Prince of Monaco, who may at any time call upon the services of senior French officials to fill posts in the Monegasque civil service, always provided that none of the said posts, except for subordinate posts designated by the Government of the Principality in agreement with the French Government, may otherwise be entrusted to an alien who is not a French national.

“Each initial period of secondment may be extended twice. The first extension, for three years, may be granted by the French Government upon presentation of a justified request by the Government of the Principality. A second and final extension of two years, substantiated by imperative service requirements, may, in special cases, be granted at the request of the Government of the Princi-

¹ Came into force on 8 July 1976 by the exchange of the said letters.

² Registered with the Secretariat of the United Nations on 31 July 1979, under number B-735.

³ See “Treaty on the admission of Monegasque nationals to certain public positions in France and on the recruitment of certain civil servants of the Principality, signed at Paris on 28 July 1930”, in United Nations, *Treaty Series*, vol. 981, p. 369.

pality if there is a risk that the operation of the Monegasque administrative services might be seriously impaired as a result of the departure of French officials.

“2. Notwithstanding the provisions of paragraph 1, judicial personnel seconded to the Principality of Monaco shall be placed at the disposal of the Government of the Principality for renewable three-year periods. The methods of recruitment of the Director of Judicial Services shall remain subject to the provisions of paragraph 1 above.

“3. For the execution of the aforesaid provisions, the following procedure shall be applied:

“Six months before the date of expiry of a period of secondment, the Government of the Principality shall inform the French Government whether it requests the renewal of the said secondment or the secondment of a new official to fill the post. The French Government shall make known its reply within two months of the date of this communication.

“In the event that it is decided to second a new official to the post, the French Government shall endeavour to put forward several candidates for selection by the Government of the Principality three months before the effective date on which the post becomes vacant. For its part, the Government of the Principality shall communicate its reply at least one month before that same date.”

The second paragraph of article 4 of the Convention of 1930 shall become paragraph 4.

I have the honour to inform you that the aforesaid provisions meet with the full approval of the French Government. I should be very grateful if you would kindly confirm to me whether the Government of His Serene Highness agrees to these provisions, which shall be regarded by the two Governments as replacing, with effect from today, those of article 4 of the Convention of 28 July 1930, as amended by the exchange of letters of 23 January 1970.

Accept, Sir, etc.

[Signed]

MARCELLE CAMPANA

His Excellency Mr. André Saint-Mleux
Minister of State
Monaco

II

PRINCIPALITY OF MONACO
DEPARTMENT OF FOREIGN RELATIONS

8 July 1976

Madam,

In your letter of today's date you informed me of the following:

[*See letter I*]

I have the honour to inform you that the Government of the Principality agrees to the foregoing proposals.

Accept, Madam, etc.

Minister of State,

[*Signed*]

ANDRÉ SAINT-MLEUX

Madame Marcelle Campana
Consul General of France
Monaco
