

**No. 15775**

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**FRANCE  
and  
MONACO**

**Exchange of letters constituting an agreement concerning  
the privileges and immunities of the International  
Hydrographic Organization. Paris, 31 May 1976**

*Authentic text: French.*

*Registered by France on 30 June 1977.*

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**FRANCE  
et  
MONACO**

**Échange de lettres constituant un accord au sujet des privi-  
lèges et immunités de l'Organisation hydrographique  
internationale. Paris, 31 mai 1976**

*Texte authentique : français.*

*Enregistré par la France le 30 juin 1977.*

## [TRANSLATION — TRADUCTION]

**EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN FRANCE AND MONACO CONCERNING THE PRIVI-  
LEGES AND IMMUNITIES OF THE INTERNATIONAL HYDRO-  
GRAPHIC ORGANIZATION**

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**I**

FRENCH REPUBLIC  
MINISTRY OF FOREIGN AFFAIRS

Directorate of Administrative Conventions and Consular Affairs  
International Unions

Paris, 31 May 1976

Sir,

The Intergovernmental Convention on the International Hydrographic Organization signed on 3 May 1967<sup>2</sup> provides that the seat of this Organization shall be in the Principality of Monaco.

In implementation of this Convention, the Government of the Principality and the Organization propose to conclude an agreement defining the arrangements for setting up this headquarters and determining the privileges and immunities of the Organization in Monaco.

The Government of the French Republic has a two-fold interest in this matter.

On the one hand, it is a party to the Convention of 3 May 1967, article XIII of which provides that the Organization shall enjoy in the territory of each of its members such privileges and immunities as may be necessary for the exercise of its functions and the fulfilment of its objectives.

On the other hand, some privileges or immunities relate to matters governed by conventions between France and Monaco.

Consequently, and with a view to facilitating the functioning of the Organization, I have the honour to inform you that the French Government is prepared to adopt the following provisions:

*Article 1.* Without being subject to any financial controls, regulations or moratoria, the Organization, in connexion with its official activities, may freely:

- (a) receive and hold funds and foreign currency of all kinds and have accounts in any currency;
- (b) transfer its funds and foreign currency within Monegasque territory and from Monaco to another country and vice versa.

<sup>1</sup> Came into force on 23 March 1977, i.e., 30 days after the date on which the two Parties had notified each other (on 11 June 1976 and 21 February 1977) of the completion of their respective approval formalities, in accordance with article 5 (4).

<sup>2</sup> United Nations, *Treaty Series*, vol. 751, p. 41.

*Article 2.* The Organization, its assets, income and other property shall be exempt from import or export duties and taxes, prohibitions and restrictions on imports or exports with respect to goods or articles imported or exported by the Organization and required for its functioning, as laid down in article VIII of the Convention of 3 May 1967 (including all nautical, hydrographic and oceanographic publications issued by the Bureau or addressed to the Bureau by States members of the Organization, corresponding States or scientific bodies), it being understood, however, that goods or articles imported by virtue of such exemption may be transferred or be lent, without charge or against payment, in Monegasque or French territory only on conditions previously approved by the competent French authorities.

The above-mentioned facilities shall in no circumstances be interpreted as prohibiting the adoption of appropriate security measures by the competent authorities.

*Article 3.* Unless a reason of public policy requires otherwise, authorization shall be granted promptly and without charge for visas for the entry into and sojourn in the Principality, for the period of their functions or missions with the Organization, of representatives of member States, observers of corresponding States invited to participate in sessions of the organs of the Organization or in conferences or meetings convened by it and experts or eminent persons called in by it for consultations.

*Article 4.* The staff of the Organization shall comprise:

- (a) the three Directors of the Bureau;
- (b) the assistant directors, chiefs of section, being permanent staff members occupying positions of responsibility in spheres associated with the technical or administrative activities of the Bureau;
- (c) other permanent staff performing functions in the technical and administrative sections of the Bureau;
- (d) non-permanent employees.

*Article 5.* 1. Staff members in the categories referred to in article 4 (a), (b) and (c) shall enjoy:

- (a) exemption from all taxation on the salaries and emoluments received for their work in the Organization;
- (b) the facilities provided for in article 3 above with respect to entry into and sojourn in Monaco;
- (c) provided that they formerly resided abroad, the right to import free of duty their household and personal effects when they first take up residence;
- (d) special residence permits issued by the competent authorities for themselves and their spouses and dependent children;
- (e) in periods of international tension, the same repatriation facilities as are granted to members of diplomatic missions.

2. Staff members in categories (a) and (b) shall also enjoy facilities for temporary duty-free import of a motor vehicle.

3. The French Government shall not be required to grant its own nationals or permanent residents of France or Monaco the privileges referred to in paragraphs 1 (b), (c), (d) and (e) and 2 above.

4. The French Government shall not be required to grant the privileges referred to in paragraph 1 (a) of this article:

- to its own nationals residing in France,
- to its own nationals residing in the Principality of Monaco but subject to taxation in France under article 7-I of the Franco-Monegasque Tax Convention of 18 May 1963,<sup>1</sup>

<sup>1</sup> United Nations, *Treaty Series*, vol. 658, p. 393.

— to permanent residents of France,

unless the Organization establishes an internal tax payable by its agents. In this event, the French Government shall tax, at the rate applicable to total income, the income other than official remuneration of its nationals and the above-mentioned permanent residents.

The provisions of paragraph 1 (a) shall not be applicable to pensions paid by the Organization to its former agents domiciled in France or subject to taxation in France under article 7-I of the Convention of 18 May 1963 referred to in the preceding paragraph.

If the foregoing proposals are acceptable to the Government of the Principality, I have the honour to propose that this letter and your reply shall be deemed to constitute the Agreement between the Government of His Serene Highness the Prince of Monaco and the Government of the French Republic, and that the said Agreement shall enter into force 30 days after the date on which the two Governments notify each other of the completion of their respective approval formalities.

Accept, Sir, etc.

[*Signed*]

CLAUDE CHAYET

His Excellency Jean Sicurani  
Minister of Monaco

## II

LEGATION OF MONACO

Paris, 31 May 1976

Sir,

In your letter of today's date you have 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, Sir, etc.

[*Signed*]

JEAN SICURANI

Mr. Claude Chayet  
Minister Plenipotentiary  
Minister for Foreign Affairs  
Paris