

No. 24354

FRANCE
and
MONACO

Exchange of letters constituting an agreement amending article 4 of the Treaty of 28 July 1930 on the admission of Monegasque nationals to certain public positions in France and on the recruitment of certain civil servants of the Principality, as amended by the exchanges of letters of 23 January 1970 and of 8 July 1976. Monaco, 9 January 1985

Authentic text: French.

Registered by France on 30 September 1986.

FRANCE
et
MONACO

Échange de lettres constituant un accord portant modification de l'article 4 du Traité du 28 juillet 1930 sur l'admission des Monégasques à certains emplois publics en France et sur le recrutement de certains fonctionnaires de la Principauté, tel que modifié par les échanges de lettres du 23 janvier 1970 et du 8 juillet 1976. Monaco, 9 janvier 1985

Texte authentique : français.

Enregistré par la France le 30 septembre 1986.

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE FRENCH REPUBLIC AND THE PRINCIPALITY OF MONACO AMENDING ARTICLE 4 OF THE TREATY OF 28 JULY 1930 ON THE ADMISSION OF MONEGASQUE NATIONALS TO CERTAIN PUBLIC POSITIONS IN FRANCE AND ON THE RECRUITMENT OF CERTAIN CIVIL SERVANTS OF THE PRINCIPALITY,² AS AMENDED BY THE EXCHANGES OF LETTERS OF 23 JANUARY 1970³ AND OF 8 JULY 1976⁴

I

CONSULATE GENERAL OF FRANCE IN MONACO

Monaco, 9 January 1985

Sir,

In accordance with the wishes expressed by the Government of His Serene Highness the Prince of Monaco and desiring to ensure the continuity of public service in the Principality, the French Government and the Monegasque Government have agreed that secondments in the Principality effected in pursuance of the Treaty of 28 July 1930² shall henceforth be for a normal renewable five-year period.

Accordingly, article 4 of the aforesaid Treaty of 28 July 1930, as amended by the exchange of letters of 23 January 1970³ and by the exchange of letters of 8 July 1976,⁴ shall be replaced by the following text:

The Government of the French Republic is prepared to place at the disposal of the Government of the Principality, for periods renewable every five 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.

The following procedure shall apply in executing the aforesaid provisions: For the posts of Minister of State, Director of Judicial Services, Director of Foreign Relations, Government Counsel for Internal Affairs and Director of Public Safety, the Government of the Principality shall inform the French Government six months before the date of expiry of the period of secondment, whether it is requesting the renewal of the secondment or the secondment of another official to fill the post. The French Government shall submit its reply within two months following the communication. If it is decided to second another official, the French Government shall

¹ Came into force on 9 January 1985, in accordance with the provisions of the said letters.

² United Nations, *Treaty Series*, vol. 981, p. 369.

³ *Ibid.*, vol. 1142, p. 416.

⁴ *Ibid.*, vol. 1031, p. 177.

endeavour to submit several candidates from which the Government of the Principality may choose 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 date.

After the appropriate request has been submitted and unless either Government expresses a wish to the contrary, all other seconded personnel shall be renewed six months prior to the date of expiry of a period of secondment.

In response to the initiative taken by the Prince, the French Government remains prepared to replace seconded civil servants even during an uncompleted period. Nevertheless, a magistrate on the bench, who was seconded for a period of five years, may not be terminated unless he or she so requests.

The foregoing provisions nullify and replace article 4 of the Treaty of 28 July 1930 as amended by the exchange of letters of 23 January 1970 and the exchange of letters of 8 July 1976. They do not apply to French personnel seconded to the primary and secondary education establishments of the Principality.

I have the honour to inform you that the foregoing 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 Treaty of 28 July 1930, as amended by the exchange of letters of 23 January 1970 and the exchange of letters of 8 July 1976. However, these provisions shall apply to current secondments only when they expire.

Accept, Sir, etc.

L. MOREAU

His Excellency Mr. Jean Herly
Minister of State
Monaco

II

PRINCIPALITY OF MONACO
DEPARTMENT OF FOREIGN RELATIONS
Head Office

9 January 1985

No. 1013

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 HERLY
Minister of State

Mr. Louis Moreau
Consul General of France
Monaco
