

No. 734

FRANCE
and
MONACO

Treaty establishing the relations of France with the Principality of Monaco (with exchange of letters). Signed at Paris on 17 July 1918

Authentic text: French.

Filed and recorded at the request of France on 11 September 1975.

FRANCE
et
MONACO

Traité fixant les rapports de la France avec la Principauté de Monaco (avec échange de lettres). Signé à Paris le 17 juillet 1918

Texte authentique : français.

Classé et inscrit au répertoire à la demande de la France le 11 septembre 1975.

[TRANSLATION — TRADUCTION]

T R E A T Y¹

The President of the French Republic and His Serene Highness the Prince of Monaco, desiring to confirm by a formal act of mutual confidence the protective friendship which, in accordance with a happy tradition, the Principality has always experienced from the French Government,

Considering that the interests of the Principality of Monaco are necessarily linked, by reason of its geographical situation, to those of France,

Have accordingly decided to conclude a treaty and have appointed as their Plenipotentiaries:

The President of the French Republic: Mr. Stephen Pichon, Senator, Minister for Foreign Affairs of the French Republic;

His Serene Highness the Prince of Monaco: Count Balny d'Avricourt, His Envoy Extraordinary and Minister Plenipotentiary to the President of the French Republic;

Who, being duly authorized, have agreed on the following provisions:

Article 1. The Government of the French Republic assures to the Principality of Monaco the defence of its independence and its sovereignty and guarantees the integrity of its territory as if that territory were part of France.

The Government of His Serene Highness the Prince of Monaco undertakes, for its part, to exercise its rights of sovereignty in complete conformity with the political, military, naval and economic interests of France.

Article 2. Measures concerning the international relations of the Principality shall always be the subject of prior consultations between the Government of the Principality and the French Government.

The same shall apply to measures concerning directly or indirectly the exercise of a regency or succession to the throne, which shall, whether by marriage or adoption or otherwise, pass only to a person who is of French or Monegasque nationality and is approved by the French Government.

Article 3. His Serene Highness the Prince of Monaco, in accordance with the additional articles of the Treaty of 2 February 1861,² confirms for himself and his successors the commitment assumed towards the French Government not to alienate the Principality, in whole or in part, in favour of any Power other than France.

Should the throne become vacant, particularly for lack of a direct or adoptive heir, the territory of Monaco shall form, under the Protectorate of France, an autonomous State under the name of the State of Monaco. In such case, immovable private property, which has not been appropriated for public use and which might accordingly be the subject of a private claim by the rightful owners, shall be purchased by the State of Monaco with the assistance, if necessary, of the French State.

¹ Came into force on 23 June 1919 by the exchange of the instruments of ratification, which took place at Paris.

² *The Map of Europe by Treaty*, vol. II, p. 1462.

Article 4. The French Government may, either on its own initiative— with the assent of the Prince or, in case of emergency, after notification— or at the request of His Serene Highness, cause such military or naval forces as are necessary for the maintenance of the security of the two countries to enter and remain in the territory and territorial waters of the Principality.

Article 5. The French Government shall lend its good offices to the Government of the Principality with a view to facilitating its access along with the French Government to international conferences and institutions, particularly those having as their purpose the organizing of the League of Nations.

Article 6. Special agreements shall establish the provisions relating, in particular, to the economic consequences of the Customs Union established by the Treaty of 2 February 1861, the prosecution and suppression of fiscal frauds and criminal offences of all kinds, the organization of joint public services, education, the recruitment of civil servants, the treatment of aliens, with particular reference to naturalization and tax liabilities, the co-ordination of police activities, and frontier surveillance, it being understood that it shall be solely the concern of the Government of the Principality, with the assent of the French Government if necessary, to enact provisions concerning the internal public order of the Principality.

Article 7. This Treaty shall, as soon as circumstances permit, be brought to the notice of the Powers by the French Government.

IN WITNESS WHEREOF the Plenipotentiaries have signed this Treaty and have thereto affixed their seals.

DONE in duplicate, at Paris, on 17 July 1918.

[STEPHEN PICHON]
[BALNY D'AVRICOURT]

EXCHANGE OF LETTERS

I

LEGATION OF MONACO IN FRANCE

Paris, 17 July 1918

Sir,

In order to facilitate the implementation of the Treaty signed this day between the Plenipotentiaries of His Serene Highness the Prince of Monaco and of the Government of the French Republic, I have the honour, on behalf of His Serene Highness, to confirm the interpretation of certain provisions thereof, as established by the exchange of views during the negotiations.

I reiterate to you the terms of that interpretation, as follows:

The purpose of the provisions of the second paragraph of article 1 is to define in a general manner the obligations of reciprocity incumbent upon the Prince in return for the friendly support of France, without prejudice to the sovereignty and independence of His Serene Highness.

The purpose of the consultations provided for in the first paragraph of article 2 will be:

- (1) to scrutinize any establishment of new legations of His Serene Highness the Prince to foreign Governments;
- (2) to decide upon the choice of heads of mission, for whose recruitment the Government of the Republic may place regular French diplomatic agents at the disposal of the Prince;
- (3) to verify that nothing in such treaties as the Prince may propose to conclude with foreign Powers is contrary to the provisions of this Treaty.

The disability specified in the second paragraph of the same article with respect to any person who is not of French or Monegasque nationality may, in consequence of an agreement between the Government of the Republic and His Serene Highness the Prince, be removed by French or Monegasque naturalization.

If, in accordance with the second paragraph of article 3, an autonomous State should be established under the style of the State of Monaco and under the protectorate of France, provisions taking into account the political rights and tax exemptions now enjoyed by Monegasque subjects will be drawn up by agreement between the two Governments.

Article 5 fully preserves the right of His Serene Highness to have, like other Governments, his own representation in the international conferences and institutions in question. Its sole purpose is to avoid, in accordance with article 1 of the Treaty, any disagreement between the French and Monegasque representatives and, subject to that reservation, it leaves His Serene Highness entirely free to express his views on scientific, moral or social issues.

The purpose of having the Treaty brought to the notice of the Powers by the French Government is to secure the international sanction thereof.

Finally, the Government of the French Republic most willingly assumes the commitment to claim upon the conclusion of peace, on the same conditions and terms as for France, reparation for war damage, especially that caused by acts contrary to The Hague Convention, to movable and immovable property of His Serene Highness, of his representatives or of Monegasque subjects, either in the territory of the Principality or elsewhere. If, in the course of the present war and by reason of the relations that exist between the Prince and France, the Governments which are enemies of the French Republic should engage in acts of destruction or depredation against the property of His Serene Highness, of his representatives or of Monegasque subjects, either in the territory of the Principality or in French territory, the Government of the Republic declares its readiness to consider the ways in which it can render assistance to His Serene Highness with a view to reparation for the damage caused.

It is understood that the foregoing elucidations have the same validity as the Treaty and shall be authentic for the purpose of the interpretation of the Treaty.

I shall be most grateful if you will confirm to me the full agreement of the Government of the Republic with respect to the foregoing interpretative provisions.

Accept, Sir, etc.

BALNY D'AVRICOURT

His Excellency Mr. Pichon
Minister for Foreign Affairs

II

Paris, 17 July 1918

Sir,

In order to facilitate the implementation of the Treaty signed this day between the Plenipotentiaries of the Government of the French Republic and of His Serene Highness the Prince of Monaco, you have confirmed to me the interpretation of certain provisions thereof, as established by the exchange of views during the negotiations.

I reiterate the terms of that interpretation, as follows:

[*See letter I*]

I have the honour to confirm to you the full agreement of the Government of the Republic with respect to the foregoing interpretative provisions.

Accept, Sir, etc.

S. PICHON

Count Balny d'Avricourt
Minister of Monaco in Paris
