

No. 20765

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**FRANCE  
and  
MADAGASCAR**

**Convention concerning the Antananarivo Military Hospital  
(with annexes). Signed at Antananarivo on 29 December  
1978**

*Authentic text: French.*

*Registered by France on 25 February 1982.*

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**FRANCE  
et  
MADAGASCAR**

**Convention concernant l'Hôpital militaire d'Antananarivo  
(avec annexes). Signée à Antananarivo le 29 décembre  
1978**

*Texte authentique : français.*

*Enregistrée par la France le 25 février 1982.*

[TRANSLATION — TRADUCTION]

## CONVENTION<sup>1</sup> BETWEEN FRANCE AND MADAGASCAR CONCERNING THE ANTANANARIVO MILITARY HOSPITAL

The Government of the French Republic and the Government of the Democratic Republic of Madagascar,

Having regard to the co-operation agreements of 4 June 1973;<sup>2</sup>

Having regard to the exchange of letters between France and Madagascar of 25 November 1977;<sup>3</sup>

Having regard to Decree No. 2.991/78 of 23 June 1978 issued by the Prime Minister of the Democratic Republic of Madagascar;

Desiring to strengthen their ties of friendship and co-operation and also concerned with:

- Ensuring the most efficient operation of the Antananarivo Military Hospital and the relieving of French personnel by Malagasy personnel;
- Maintaining the technical standards, quality of management and financial solvency of this health care institution, which is open to military personnel, civil servants and equivalent personnel, staff of diplomatic missions and co-operation personnel as well as to fee-paying private individuals;
- Ensuring that, at the same time, the Hospital fulfils its responsibility as a training hospital for the people's armed forces;
- Continuing the modernization of the Hospital's equipment and physical plant,

Have agreed as follows:

*Article 1.* As from 1 January 1979, the Malagasy State shall assume the overall responsibility for the Antananarivo Military Hospital (formerly the Girard et Robic Hospital), which had been placed under the control of the French State by the Convention concluded between France and Madagascar on 8 June 1958 and renewed by exchanges of letters in 1968, 1973, 1976 and, for the year 1978, as a temporary measure, by the exchange of letters of 25 November 1977.

This responsibility shall be assumed in accordance with the statute of the Hospital, as drawn up by the Malagasy Government on the basis of the principles defined by agreement in annex I<sup>4</sup> to this Convention.

*Article 2.* The French Government shall assist in the operation of the Hospital under the terms of the agreements between France and Madagascar of 4 June 1973.

*Article 3.* The French Government shall continue to provide, as needed, personnel to staff the Hospital (doctors, pharmacists, paramedical and adminis-

<sup>1</sup> Came into force on 1 January 1979, in accordance with article 13.

<sup>2</sup> United Nations, *Treaty Series*, vol. 978, p. 261, 267, 291, 307, 313, 319, 347, 361 and 365.

<sup>3</sup> *Ibid.*, vol. 1092, p. 229.

<sup>4</sup> The annex is not published herein in accordance with article 12 (2) of the General Assembly regulations to give effect to Article 102 of the Charter of the United Nations as amended in the last instance by General Assembly resolution 33/141 A of 19 December 1978.

trative personnel) pending the completion of the programme for training Malagasy personnel and relieving French personnel, as set out in annex II.<sup>1</sup>

*Article 4.* The French personnel shall, in principle, be provided by the armed forces medical corps, and shall serve under the technical assistance scheme in accordance with the provisions of the co-operation agreements of 4 June 1973.

*Article 5.* The personnel seconded to the Malagasy Government under the procedures laid down in the co-operation agreements of 4 June 1973 shall be placed under the supervision of the head physician of the Hospital and shall form a team whose mission shall be the achievement of the general objectives of the co-operative activities undertaken at the Hospital.

In that regard, the team shall be represented within the Hospital by the senior highest-ranking physician among its members; he shall be consulted on any decision entailing any permanent changes in the use of such personnel.

*Article 6.* Article 11 of annex I to the Technical Assistance Convention of 4 June 1973 notwithstanding, the Government of the Democratic Republic of Madagascar shall not be required to make any payment for the French co-operation personnel serving at the Antananarivo Military Hospital. The Malagasy Government shall, however, provide housing for these personnel up to a maximum of the 19 houses and 5 apartments listed in annex III<sup>1</sup> and assigned to the Ministry of Defence for the requirements of the Hospital.

This housing shall be allocated to Malagasy personnel as they relieve French staff serving at the Hospital.

*Article 7.* The French Government shall, as far as its means permit, continue its policy of providing assistance for hospital investments and the training of Malagasy personnel.

*Article 8.* In a spirit of co-operation, the governing body of the Hospital shall invite representatives of the Embassy of France to participate in its meetings in an advisory capacity where general hospital matters are at issue and with the right to speak and vote where co-operation matters are at issue.

*Article 9.* The Antananarivo Military Hospital shall remain open to the following categories of French nationals:

- Personnel of the French mission;
- Co-operation personnel;
- Individuals in receipt of disability pensions;
- Retired military personnel;
- Private individuals on a fee-paying basis and individuals whose fees are paid by the welfare committees of the French consulates in Madagascar.

*Article 10.* With regard to the financial management of the Hospital, a general settlement of accounts as at 31 December 1978 shall be carried out.

The funds held at the cashier's office of the Embassy of France on behalf of the Hospital as at 31 December 1978, as well as the statements of outstanding claims in the accounts as at the same date shall be remitted to the new accountant.

<sup>1</sup> The annex is not published herein in accordance with article 12 (2) of the General Assembly regulations to give effect to Article 102 of the Charter of the United Nations as amended in the last instance by General Assembly resolution 33/141 A of 19 December 1978.

This remittance shall be recorded in a document reflecting the transfer of control to be drawn up between the present and the new accountant in the presence of representatives of the French and Malagasy States.

Furthermore, the French party undertakes to pay back, through the Malagasy Treasury, to the new management of the Hospital any amounts due in respect of claims made on or before 31 December 1978 which are received by the cashier's office of the Embassy of France after that date.

The French Government shall also assist in collecting from French or foreign organizations any moneys owing to the Hospital prior to 1 January 1979.

The Malagasy party, for its part, undertakes to assume the debts of any kind validly contracted for the needs of the Hospital under French management before 1 January 1979 and still owing on that date.

*Article 11.* With regard to administrative management, documents providing for the transfer of control on 31 December 1978 shall be drawn up between the incoming and outgoing officials in the presence of representatives of the French and Malagasy States.

These provisions shall also apply to cash, securities and valuables deposited by patients and held by the management of the Hospital as at 31 December 1978, which shall be transferred to the new accountant.

*Article 12.* The following documents shall also be drawn up as soon as possible for the period ending 31 December 1978:

(a) By the Finance Officer and the Administrator of the Hospital:

- Administrative accounts for the fiscal year 1978;
- Statement of debts contracted by the hospital before 1 January 1979 and still owing on that date;
- Consolidated list of all personnel employed by the Hospital;
- Inventory of equipment and supplies.

(b) By the paymaster of the Embassy of France:

- Balance sheet for the fiscal year 1978 and attachments;
- Detailed statement of outstanding claims.

*Article 13.* This Convention shall enter into force on 1 January 1979. It shall be concluded for a period of three years, and shall be automatically renewable. It may be amended or denounced at any time by either Party with one year's prior notice.

29 December 1978

For the Government  
of the Democratic Republic  
of Madagascar:

[Signed]

Commander (Navy) GUY SIBON  
Minister for Defence

For the Government  
of the French Republic:

[Signed]

J.-P. CAMPREDON  
Ambassador of France