

No. 9509

**FRANCE
and
ALGERIA**

**Protocol concerning liquidation of, and succession to, the
Aeronautical Administration and Safety Organization
(with exchange of letters). Signed at Algiers on 26
December 1967**

Authentic text : French.

Registered by France on 16 April 1969.

**FRANCE
et
ALGÉRIE**

**Protocole relatif à la liquidation et à la succession de
l'Organisme de gestion et de sécurité aéronautique
(avec échange de lettres). Signé à Alger le 26 décembre
1967**

Texte authentique : français.

Enregistré par la France le 16 avril 1969.

[TRANSLATION — TRADUCTION]

PROTOCOL ¹ BETWEEN FRANCE AND ALGERIA CONCERNING LIQUIDATION OF AND SUCCESSION TO THE AERONAUTICAL ADMINISTRATION AND SAFETY ORGANIZATION

The Government of the French Republic, and

The Government of the Democratic and Popular Republic of Algeria,

Desirous of continuing their co-operation in matters of civil aviation and of facilitating the work of the Algerian institution which is to succeed the Aeronautical Administration and Safety Authority (OGSA), have agreed as follows :

Article 1

The OGSA shall cease to exist on 1 January 1968. All of its functions shall be transferred to the Algerian Government.

Article 2

TRANSFER OF ASSETS AND LIABILITIES

All the rights and obligations of OGSA shall be transferred on 1 January 1968 to the body which is to succeed it, due account being taken of the following transitional provisions.

Article 3

FRANCO-ALGERIAN COMMITTEE OF LIQUIDATORS

A Franco-Algerian committee of liquidators whose membership and headquarters shall be determined by common agreement between the two Governments before 31 December 1967, shall be responsible, as from 1 January 1968 and for a period not exceeding six months, for carrying out the functions indicated in the following articles.

Article 4

DISPOSAL OF THE ASSETS OF OGSA

On 1 January 1968 the committee of liquidators, having considered the financial position of OGSA as of 31 December 1967, shall transfer to the body

¹ Came into force on 26 December 1967 by signature.

which is to succeed OGSA an advance of 1 million dinars. A credit in the amount of 1 million francs shall be opened on the same date in favour of the body which is to succeed OGSA as an advance against the assets referred to in article 9 below.

The committee of liquidators of OGSA shall, on a temporary basis, dispose of the remaining liquid assets of OGSA.

Article 5

LIQUIDATION PERIOD FOLLOWING THE FINANCIAL YEAR 1967

During the period referred to in article 3 above, the committee of liquidators shall collect the debts due to OGSA and pay its debts in respect of operations effected in and before 1967.

Article 6

OTHER FUNCTIONS OF THE COMMITTEE OF LIQUIDATORS

At the request of the Governments concerned, the committee of liquidators may, on a provisional basis and subject to reimbursement, pay the French or Algerian shares of the salaries of the French staff employed by the body which is to succeed OGSA.

At the request and with the agreement of the two Governments, the committee of liquidators may be given other functions.

Article 7

COSTS OF LIQUIDATION

The costs of the operations of the committee of liquidators, whose staff shall consist of no more than five persons, shall be charged against the liquid assets referred to in the second paragraph of article 2, above, to a maximum limit of 200,000 francs.

Article 8

LIQUIDATION BALANCE SHEET

At the end of the liquidation period, the committee of liquidators shall submit the liquidation balance sheet of OGSA to the two Governments for their approval.

Article 9

ALLOCATION OF FUNDS REMAINING UPON COMPLETION OF OPERATIONS OF OGSA

At the end of the liquidation period provided for in article 3 above, half of the funds remaining upon completion of the operations of OGSA and

appearing in its liquidation balance sheet shall be transferred to the body which is to succeed it ; the other half shall be held available to cover this new body's expenses in France and, in particular, as working capital to be drawn upon in defraying such expenses.

Article 10

An exchange of letters, which shall be annexed to the Convention concerning Technical and Cultural Co-operation between France and Algeria of 8 April 1966, ¹ shall specify which provisions shall be applicable to the French personnel of the body which is to succeed OGSA.

Article 11

An agreement between the French and Algerian Governments shall lay down procedures, applicable from 1 January 1968, for their co-operation in technical fields and shall, in particular, specify the changes to be made in the various agreements concluded between the French Government and OGSA.

Article 12

The provisions of this Protocol shall supersede :

- Chapter III of the Protocol concerning Technical Co-operation between the French State and the Algerian State in the Field of Public Works, Transport and Tourism, dated 24 September 1962 ; ²
- The Protocol between the French State and the Algerian State of 27 August 1963 concerning the Operation of OGSA.

For the Government
of the French Republic :

Philippe REBEYROL
Minister Delegate, Chargé
d'affaires

For the Government
of the Democratic and Popular
Republic of Algeria :

Abdelaziz BOUTEFLIKA
Minister for Foreign Affairs

Algiers, 26 December 1967

¹ See p. 241 of this volume.

² See p. 229 of this volume.

EXCHANGE OF LETTERS

I, *a*

Algiers, 26 December 1967

Sir,

The Franco-Algerian protocol of 26 December 1967 concerning liquidation of OGSA provides for the establishment, on a transitional basis, of a committee of liquidators.

For the purposes of implementing articles 3 to 9 of this Protocol, I have the honour to propose to you the following provisions, to take effect on the date on which the Protocol enters into force :

1. The committee of liquidators shall be composed of three representatives of each Government. It shall have its headquarters at Algiers, at the headquarters of OGSA.

2. The functions of director of the committee of liquidators shall be discharged jointly by a French official and an Algerian official appointed by their respective Governments, both of whose signatures shall be required for all the actions referred to in articles 4 to 7 of the Protocol of 26 December 1967.

The official to be appointed by the French Government shall be chosen from outside the staff of the body which is to succeed OGSA.

3. The present accountant of OGSA shall be appointed as accountant to the committee of liquidators of OGSA.

4. The committee of liquidators shall be provided with the necessary personnel and facilities by the body which is to succeed OGSA.

In the event of the application of article 6, first paragraph, of the Protocol of 26 December 1967, the committee of liquidators shall have at its disposal the facilities of the former agency of OGSA in Paris for a period not exceeding three months following the date of liquidation of OGSA in order to ensure the availability of the necessary accounting and material services.

The number of staff, their remuneration and other costs of liquidation chargeable to the credit provided for in article 7 of the Protocol of 26 December 1967 shall be determined by the committee of liquidators.

5. The committee of liquidators shall hold at least two meetings. The first meeting, which shall be held at the beginning of the year 1968, shall be for the purpose of giving instructions to the directors. The second meeting, which shall be held before 30 June 1968, shall have as its purpose the approval of the draft liquidation balance-sheet referred to in article 8 of the Protocol of 26 December 1967. The committee of liquidators may meet at the request of the parties to consider any question relating to the liquidation of OGSA.

I have the honour to ask you to be good enough to confirm to me your agreement to the foregoing provisions.

Accept Sir, etc.

For the Government of the French Republic :

Philippe REBEYROL
Minister Delegate, Chargé d'affaires

H.E. The Minister for Foreign Affairs
of the Democratic and Popular Republic of Algeria

I, *b*

DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA
MINISTRY OF FOREIGN AFFAIRS
The Minister

Sir,

In your letter of 26 December 1967, you were good enough to inform me of the following :

[See letter I, a]

I have the honour to inform you of my Government's agreement to the foregoing provisions.

Accept, Sir, etc.

Abdelaziz BOUTEFLIKA

H.E. Pierre de Leusse
Ambassador, High Representative of the French Republic
in Algeria

II, *a*

Algiers, 26 December 1967

Sir,

During the exchanges of view between the delegation of the French Government and the delegation of the Algerian Government which took place in Paris from 15 to 18 November 1967 on the subject of the liquidation of OGSA and the transfer of its functions to the Algerian authorities, it was agreed that the two Governments would continue to co-operate in matters of civil aviation.

For this purpose, it was decided that the Convention of 8 April 1966 and the exchanges of letters annexed thereto would be applicable to the body which is to succeed OGSA as from 1 January 1968, account being taken of the following provisions :

1. The French Government undertakes, pursuant to article 15 of the aforesaid Convention, to maintain in respect of French personnel now participating in the co-operation programme, for the duration of their stay in Algeria, the same level of remuneration as that applying to them at present, the special bonus for technical qualifications being included in the additional payment provided for in article 15, sub-paragraph 6, of the above-mentioned Convention. As an exception, French personnel recruited for the co-operation programme in 1968 shall receive in 1970 the benefit of a special bonus for technical qualifications if they renew their employment contracts for a two-year period.

2. Salaries paid by the body succeeding OGSA to the French personnel participating in the co-operation programme under article 16, sub-paragraph 1, of the same Convention shall be calculated on the basis of the grade and the salary scale applicable to the Algerian personnel employed by that body.

If the French personnel serving with OGSA on 31 December 1967 remain in the service of the body which succeeds it, they shall serve at a grade no lower than that in which they served in OGSA on that date.

3. The French Government shall endeavour to continue to maintain at the disposal of the body succeeding OGSA for a period not exceeding three years the same number of French technical specialists as the number in service on 1 June 1967.

The Algerian Government, for its part, undertakes to provide accommodation for the personnel it requests.

4. The Algerian Government undertakes to assign the French personnel participating in the co-operation programme who have been made available to the body succeeding OGSA exclusively to tasks which are in conformity with the goals laid down in the Chicago Convention.¹

I have the honour to request you to be kind enough to confirm to me your agreement to these provisions.

Accept, Sir, etc.

For the Government of the French Republic :

Philippe REBEYROL
Minister Delegate, Chargé d'affaires

H.E. The Minister for Foreign Affairs
of the Democratic and Popular Republic of Algeria

¹ United Nations, *Treaty Series*, Vol. 15, p. 295 ; for the texts of the Protocols amending this Convention, see Vol. 320, pp. 209 and 217 ; Vol. 418, p. 161, and Vol. 514, p. 209.

II, b

DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA
MINISTRY OF FOREIGN AFFAIRS
The Minister

Sir,

In your letter of 26 December 1967 you were good enough to inform me of the following :

[See letter II, a]

I have the honour to inform you of my Government's agreement to these provisions.

Accept, Sir, etc.

Algiers, 26 December 1967

Abdelaziz BOUTEFLIKA

H.E. Mr. Pierre de Leusse
Ambassador, High Representative of the French Republic
in Algeria