

No. 9507

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**FRANCE**  
and  
**ALGERIA**

**Protocol concerning technical co-operation in the field of  
public works, transport and tourism. Signed at Rocher-  
Noir on 24 September 1962**

*Authentic text : French.*

*Registered by France on 16 April 1969.*

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**FRANCE**  
et  
**ALGÉRIE**

**Protocole relatif à la coopération technique dans le  
domaine des travaux publics, des transports et du  
tourisme. Signé à Rocher-Noir le 24 septembre 1962**

*Texte authentique : français.*

*Enregistré par la France le 16 avril 1969.*

[TRANSLATION — TRADUCTION]

PROTOCOL<sup>1</sup> CONCERNING TECHNICAL CO-OPERATION  
BETWEEN FRANCE AND ALGERIA IN THE FIELD  
OF PUBLIC WORKS, TRANSPORT AND TOURISM

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Within the framework of the Declaration of Principles concerning Technical Co-operation,<sup>2</sup> the Government of the French Republic and the Algerian Provisional Executive have agreed as follows :

Chapter I

ALGERIAN NATIONAL RAILWAYS (SNCFA)

*Article 1*

As from 1 July 1962, Algeria shall supersede France in respect of the rights and obligations attaching to the general property of the railway system as defined in article 1 of Ordinance No. 59-249 of 4 February 1959.

*Article 2*

Algeria confirms that, subject to the provisions of article 8 below, the operating regulations of the SNCFA established in the afore-mentioned Ordinance shall remain in force as well as the additional provisions for its implementation contained in the instruments enumerated below :

- Decree No. 59-1591 of 31 December 1959 relating to the constitution of the SNCFA ;
- Convention of 30 June 1959 establishing the SNCFA ;
- Decree No. 59-1592 of 31 December 1959 concerning the administrative and financial structure of the SNCFA ;
- Inter-ministerial Order of 31 December 1959 transferring the property of the Algerian Railway Administration to the SNCFA.

The provisions of this article shall remain in force until such time as the Algerian Government has defined its railway policy and has, if necessary, revised the statutes of the SNCFA.

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<sup>1</sup> Came into force on 24 September 1962 by signature.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 507, p. 81.

*Article 3*

France undertakes to transfer to the Algerian State before 31 december 1962 the shares it holds under article 3 of the Convention of 30 June 1959 and to adopt the necessary regulations for that purpose.

*Article 4*

As from the date of transfer of the shares, the Algerian State shall assume the obligations entered into by France with the SNCF for the purposes of the operation of the SNCFA.

*Article 5*

As from 11 August 1962, the Algerian State shall exercise the powers of trusteeship incumbent upon the Minister of Finance and the Minister of Public Works and Transport of the French Republic under the statutes of the SNCFA and other subsequent measures.

*Article 6*

As a transitional measure and until such time as the Algerian Government shall make other arrangements, the functions of the *Commissaire du Gouvernement* shall be exercised by the High Official referred to in the first paragraph of article 3 of decree No. 59-1592 of 31 December 1959.

In exercising his functions, this High Official shall act on behalf of the Algerian State.

*Article 7*

As a transitional measure, the Governing Board may, for the performance of certain functions, delegate power to Algerian nationals or persons enjoying Algerian civil rights who do not meet the requirements laid down in the Statute referred to in article 3 of Ordinance No. 59-249 of 4 February 1959.

*Article 8*

The provisions relating to salaries referred to in article 3 of Ordinance No. 59-249 of 4 February 1959 and in paragraph 2 of article 28 of the Convention of 30 June 1959 shall cease to apply in Algeria as from 15 September 1962.

*Article 9*

The SNCFA shall continue to be responsible for the payment of pension contributions and retirement benefits to all permanent staff entitled to those payments prior to 1 July 1962.

## Chapter II

## MEDITERRANEAN-NIGER RAILWAY

*Article 10*

Subject to the changes affecting the public domain as a consequence of the transfer of sovereignty, the Mediterranean-Niger Railway shall continue to be operated as a French public establishment until 31 December 1962.

*Article 11*

The French Government undertakes to propose a plan for dividing the assets and liabilities of the establishment among the various States having an interest in its future dissolution.

## Chapter III

AERONAUTICAL ADMINISTRATION AND SAFETY ORGANIZATION  
OF ALGERIA AND THE SAHARA (OGSA)*Article 12*

The Algerian Provisional Executive and the French Government confirm that the legislation establishing OGSA (Decree No. 62-204 of 21 February 1962 and Decree No. 62-205 of 23 February 1962 and the statement of particulars and conditions annexed thereto) remains in force. However, the Algerian State shall supersede both the former Delegate-General in Algeria and the OCRS in all administrative activities for which those authorities were previously responsible under the afore-mentioned decrees.

*Article 13*

The procedure for the appointment of the Algerian representatives to the Governing Board of OGSA, as established in article 1 of Decree No. 62-205 of 23 February 1962 shall, within a period of time to be decided as the discretion of the Algerian Government, be embodied in Algerian regulations without prior consultation with the French Government. By way of exception, the provisions of article 2 of that decree shall not apply in the event that changes are made in the Algerian representatives to the Governing Board of OGSA.

*Article 14*

The provisions of the Protocol concerning Technical Co-operation between France and Algeria, in so far as they relate to the status of French personnel serving in Algeria, shall apply to French officials and personnel

participating in the operation of OGSA in accordance with the statutes governing that body.

*Article 15*

The Algerian Government and the French Government shall at a later stage make the adjustments in the above-mentioned Protocol which may be deemed necessary to take account of the special characteristics of the status of OGSA personnel.

*Article 16*

The French Government maintains its proposal to effect the changes in the statutes of OGSA made necessary by the establishment of an Algerian State and an Algerian Department of Civil Aviation and to preserve the principle of parity between France and Algeria in the administration of that organ.

*Article 17*

The French Government confirms its intention to assume, as an exceptional and transitional measure for the financial year 1963 only, the greater part of the costs of operating OGSA.

Chapter IV

ALGERIAN AUTONOMOUS PORTS

*Article 18*

The provisions of the Protocol relating to the status of French personnel serving in Algeria shall apply to French officials made available by the French Government for the operation of the autonomous ports established at Algiers-Bone and Oran-Arzew.

Chapter V

AIR-ALGERIA

*Article 19*

The Algerian Provisional Executive confirms its intention to assume ownership of at least 33 per cent and possibly more than half of the shares in Air-Algeria. The two Governments shall enter into consultation as soon as possible with a view to agreeing on the financial arrangements for completing that transaction.

They shall also consult with a view to determining the conditions in which the Algerian State shall ensure that its interests are taken into account in the operation of Air-Algeria.

The French Government and the Algerian Government shall reach an agreement with a view to facilitating the purchase by an Algerian shipping company to be established of a part of the shares of Air-Algeria other than that held by Algeria.

## Chapter VI

### REGISTRATION OF FRENCH SEAMEN

#### *Article 20*

The status of registered seamen shall remain unchanged for a transitional period to end not later than 31 December 1962.

#### *Article 21*

The present social security and retirement system for seamen registered in Algeria shall be maintained until 31 December 1962. The administration of this system shall continue to be the responsibility of the National Institute of French Naval Pensioners in accordance with the regulations now in force until 31 December 1962 at the latest.

#### *Article 22*

The French Department of Seamen's Registration in Algeria shall, in respect of all its functions, be provisionally placed at the disposal of the Algerian Government within the framework of the Declaration of Principles concerning Technical Co-operation.

It shall continue to be entitled to use the building and working equipment which it now possesses.

#### *Article 23*

The French Government undertakes, within the limits of available resources, to assign to the competent French Minister for service in Algeria the French personnel necessary for the functioning of that Department and to reinstate them in their original posts as soon as their duties in Algeria have been terminated.

#### *Article 24*

The provisions of the Protocol concerning Technical Co-operation relating to the status of French personnel serving in Algeria shall apply to the

French officials and personnel made available to the Algerian State for the needs and functioning of the Department of Seamen's Registration.

#### *Article 25*

The National Institute of French Naval Pensioners shall in principle cease to function in Algeria on 31 December 1962. All its functions and powers as well as rights, whether liabilities or assets, shall be transferred to the Algerian national public establishment which is to succeed it.

#### *Article 26*

The trade organizations, educational establishments, mutual credit and mutual provident societies attached to the Department of Seamen's Registration shall continue to function under the usual conditions.

The validity of the degrees and diplomas awarded by the National Merchant Marine Academy in Algiers shall be determined in accordance with the provisions of article 5 of the Declaration of Principles concerning Cultural Co-operation.<sup>1</sup>

#### *Article 27*

France undertakes :

- (1) To assign, within the limits of available resources, the teaching personnel necessary for the functioning of the educational establishments. This personnel shall be placed at the disposal of the Algerian State under the conditions specified in the Protocol relating to the status of French personnel serving in Algeria ;
- (2) To provide for the training of officers and engineers of the Merchant Marine as well as the personnel necessary for the functioning of the Department of Seamen's Registration.

### Chapter VII

#### MARITIME RELATIONS BETWEEN FRANCE AND ALGERIA

#### *Article 28*

The present flag system between France and Algeria shall be maintained until the respective roles of the French and Algerian flags are defined in the context of articles 5 and 6 of the Declaration of Principles concerning Economic and Financial Co-operation.<sup>2</sup>

<sup>1</sup> United Nations, *Treaty Series*, Vol. 507, p. 75.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 507, p. 57.

## Chapter VIII

## NATIONAL GEOGRAPHIC INSTITUTE AND HIGHWAYS DEPARTMENT LABORATORY

*Article 29*

The French National Geographic Institute shall continue to carry out its activities in Algeria in accordance with present regulations until the Algerian Government and the French Government have concluded an agreement relating to its functioning in Algeria.

The same shall apply to the branch of the Highways Department Laboratory in Algeria.

## Chapter IX

## TOURISM

*Article 30*

The French Government and the Algerian Government will conclude an agreement on co-operation in matters of tourism. This agreement will, in particular, define the relations to be established between the French Office of the Commissioner-General for Tourism and the Algerian National Tourist Office (ONAT) for the purpose of technical co-operation.

*Article 31*

The French personnel to be placed at the disposal of ONAT in Algeria by the Office of the Commissioner-General for Tourism shall be subject to the provisions of the Protocol concerning the status of French personnel serving in Algeria.

*Article 32*

The French Government undertakes to place at the disposal of the Algerian Government the overseas services of the French Office of the Commissioner-General for Tourism in order to ensure that the interests of Algerian tourism are represented and satisfied.

## Chapter X

## GENERAL PROVISIONS

*Article 33*

The provisions of the Protocol shall apply to the Government departments and public services specifically designated therein as well as to the Algerian units which are to succeed them.



DONE at Rocher Noir on the twenty-fourth of September, one thousand nine hundred and sixty-two.

For the Government  
of the French Republic :

Louis DE GUIRINGAUD

For the Algerian  
Provisional Executive :

Abderrahmane FARES