

**No. 19584**

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**FRANCE  
and  
ALGERIA**

**Exchange of letters constituting an agreement concerning the return to Algeria of Algerian workers and their families (with table and declaration). Algiers, 18 September 1980**

*Authentic text: French.*

*Registered by France on 20 February 1981.*

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**FRANCE  
et  
ALGÉRIE**

**Échange de lettres constituant un accord sur le retour en Algérie des travailleurs algériens et de leur famille (avec tableau et déclaration). Alger, 18 septembre 1980**

*Texte authentique : français.*

*Enregistré par la France le 20 février 1981.*

[TRANSLATION — TRADUCTION]

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN FRANCE AND ALGERIA CONCERNING THE RETURN TO ALGERIA OF ALGERIAN WORKERS AND THEIR FAMILIES

I

Algiers, 18 September 1980

Sir,

By exchanges of letters on 26-27 December 1978 and 20 December 1979, our two Governments, in order to facilitate progress in the negotiations which have taken place in recent months, had agreed to extend automatically for successive periods of one year the five- and ten-year residence permits issued by France to Algerian nationals, which were due to expire during the period covered by these two exchanges of letters.

These negotiations have taken place against the background of the Algerian Government's policy in the matter of the reintegration of Algerian emigrant workers, and of the wish of the French Government to reduce the number of foreign workers in France having regard to the prevailing economic and social situation.

As a result of these negotiations, our two Governments have agreed to take, in close co-operation, during a period of three years and three months, from 1 October 1980 to 31 December 1983, all appropriate measures to permit the voluntary return and reintegration in Algeria of Algerian workers and their families, under proper conditions and with respect for the freedom of choice of the persons concerned and for the rights acquired by the Algerian workers and their families returning to Algeria. The competent French authorities and the consular representatives of Algeria in France shall ensure that such acquired rights are respected under the conditions laid down by the Consular Convention of 24 May 1974.<sup>2</sup>

The above-mentioned co-operation shall concern, *inter alia*, vocational training programmes, assistance in the establishment of small businesses in Algeria and measures to encourage return under mutually agreed conditions.

1. *Co-operation in the field of vocational training*

Vocational training is a key element in measures to encourage return. Our two Governments have therefore agreed to implement a bilateral vocational training programme for Algerian workers who wish to return to Algeria and to take up paid employment there.

As indicated in the table appended hereto, the training provided under the bilateral programme seeks to assist Algerian workers each year to adapt smoothly to their new jobs. This programme shall be planned and implemented by a joint technical committee responsible for vocational training.

Training shall be conducted both on the job and in training centres. During the first year, the training provided in such centres shall be conducted in France. During

<sup>1</sup> Came into force on 1 October 1980, in accordance with the provisions of the said letters.

<sup>2</sup> United Nations, *Treaty Series*, vol. 1183, No. I-18952.

the second year, a minimum of one third and a maximum of one half of the programme shall be conducted in Algeria. During the third year, two thirds of the programme shall be conducted in Algeria.

Our two Governments are aware that the success of this training programme depends on equipping Algeria with the capacity to conduct its own training.

The Government of Algeria, as part of its plans to expand its vocational training capacity, shall take all necessary steps to reserve the places required for those Algerian emigrant workers who are to benefit from the training programme envisaged under this exchange of letters.

With regard to the training programme to be conducted in Algeria, the French Government shall be responsible for:

- The training in France of the future Algerian instructors required for this programme;
- The remuneration of Algerian and French instructors assigned to this programme;
- The organization of the training programmes to be conducted in Algeria;
- The financing of the construction and equipment costs of the new sections or centres required for this programme, either directly or through special credits or guaranteed private credits. Such credits, in view of the exceptional nature of the undertaking, shall not exceed one third of the total financing.

The Algerian Government shall provide the prepared sites required for the construction of the centres and shall bear the cost of current operational expenditure.

Each Government shall be responsible for the remuneration and subsistence costs of trainees in its territory.

## 2. *Co-operation in the matter of assistance in the establishment of small industries in Algeria*

Our two Governments hereby agree to implement a bilateral aid programme for the establishment in Algeria of small industrial or arts and crafts enterprises by Algerian paid workers wishing to return home.

Such assistance shall take the form of loans by Algeria and France. The Algerian Treasury shall guarantee the repayment of the French loans.

The contribution of the French Government shall include the costs of feasibility and engineering studies.

The French loans, at preferential rates, shall be used to purchase in France the necessary equipment for the establishment of these enterprises.

For this purpose, a joint technical "Enterprises" Committee shall be set up to evaluate projects for the establishment of enterprises, with a view to their approval by the two Parties. This Committee shall define the ways in which the two Governments contribute to the programme.

## 3. *Measures to encourage return*

Our two Governments, desiring to encourage the return home of Algerian workers and their families and to facilitate their smooth reintegration, have agreed to take a number of measures in addition to those envisaged for vocational training and assistance in the establishment of small industries.

(a) The Algerian Government:

- Shall continue and, where appropriate, amplify its policy of granting customs and tax concessions to its nationals who are returning to settle in Algeria;
- Shall take, as part of its programmes of housing construction, the necessary steps to make housing available to Algerian nationals resident in France who wish to return to settle in Algeria. In this regard, the French Government shall make a financial contribution in the form of loans;
- Shall ensure that information concerning job opportunities in Algeria is widely disseminated within the Algerian immigrant community in France;

(b) The French Government shall assist employed Algerian nationals wishing to return to Algeria, who are holders of residence permits bearing the notation "paid worker", by:

- Defraying the cost of the travel expenses of such persons, their spouses and their children under 16 years or dependent, who are resident in France;
- Providing a return grant to each paid worker wishing to return to Algeria to take up employment there.

In the case of persons who have been continuously employed during the six months preceding the application for the grant, the amount of the grant shall be equal to four times the average net monthly wage of the persons in question during the same period.

In the case of other persons, it shall be equal to 1.374 times the minimum guaranteed amount provided in article L 141-8 of the French Labour Code, in force on the day on which the application is made.

Persons who have received loans for the establishment of small industries or who have benefited from vocational training in preparation for return shall be ineligible for such grants.

The number of persons benefiting from vocational training courses and repatriation grants shall not exceed two thirds of the total number of returning workers.

The provisions of paragraphs 1, 2 and 3 (b) above shall not apply to Algerian nationals who are covered, in respect of the right to reside and work in France, by a special régime deriving from commitments undertaken within the European Communities or from commitments under French legislation.

#### 4. *Repatriation dossier*

In order to enable employed persons and their families to return to their country under the best possible conditions, including the guarantee of all acquired rights and repatriation benefits, our two Governments have agreed to establish a repatriation dossier.

This dossier shall be personal and shall contain information concerning:

- The steps to be taken in France prior to departure and the attestations to be obtained from the competent agencies to certify acquired rights;
- The benefits defined by mutual agreement and the steps to be taken in order to receive them.

Upon completion of all the formalities required for repatriation and at a date which he himself shall set, the person wishing to return shall hand in his residence permit to the competent French authority. He shall receive in exchange an authoriza-

tion to stay for one month, or, where appropriate, for the duration of the training course which he will undergo in France, extended by an additional month.

#### 5. *Mixed Commission*

A Mixed Commission shall be set up for the purpose of implementing the provisions of this exchange of letters on behalf of the two Governments.

The Mixed Commission shall establish three specialized technical committees. The first shall consider any issue related to the repatriation dossier and shall implement the measures agreed upon to promote and facilitate return and reintegration. The second shall be responsible for the co-operation programme in the field of vocational training. The third shall be responsible for the co-operation programme for assistance in the establishment of small industries. All three committees shall submit periodic reports on their activities to the Mixed Commission.

The Mixed Commission shall meet at Algiers on 1 October 1980 in order to establish the three joint technical committees provided for in the preceding paragraph. It shall meet each quarter, at Algiers and at Paris alternately.

#### 6. *Evaluation*

The Mixed Commission shall prepare a quarterly balance sheet on repatriation, at both the qualitative level in terms of the number of repatriation dossiers constituted, and the quantitative level in terms of the number of residence permits handed in. It shall consider any disputes arising from repatriation and shall guarantee the effective enjoyment of acquired rights and of the benefits offered.

The two Governments hereby agree to consider, before the end of the period covered by this exchange of letters, the results reported by the Mixed Commission. In the light of that report, each Government may request the opening of fresh negotiations to modify, where necessary, the provisions of this exchange of letters.

#### 7. *Renewal of residence permits*

The residence permits of Algerian nationals who took up legal residence in France prior to 1 July 1962 shall be renewed upon their expiry for a period of ten years.

In addition, the French Government shall automatically extend, for a period of three years and three months the 5-year and 10-year residence permits held by Algerian nationals who took up residence in France on or after 1 July 1962, and which were due to expire between 1 October 1980 and 31 December 1983. It shall also automatically extend for the same period the 5-year and 10-year residence permits held by such nationals, which had already been extended through the application of the preceding exchanges of letters and which were due to expire during the same period.

#### 8. *Information*

Our two Governments shall work to ensure the success of the co-operation envisaged under this Exchange of letters, particularly by providing information to Algerian workers in France on the conditions of their reintegration, on the incentives which have been created for reintegration, as well as on the opportunities for vocational training, employment and housing provided to persons wishing to return.

## 9.

Our two Governments shall also, each in its field of competence, adopt the necessary publicity measures and make other arrangements to ensure that the movement or flow of Algerian nationals are in conformity with the regulations governing the movement of persons, which have been the subject of mutual agreement.

10. *Teaching of the Arabic language*

Our two Governments hereby agree to give further consideration to the conditions under which the teaching of the Arabic language to Algerian children attending French public schools at the primary and secondary levels may be undertaken and promoted. These negotiations shall be initiated as soon as possible in order that an agreement between our two countries on this matter may be concluded before March 1981.

I would be grateful if you would inform me whether the provisions contained in this letter are acceptable to the Government of Algeria so that they may enter into force with effect from 1 October 1980.

Accept, Sir, etc.

[LIONEL STOLERU]

His Excellency Mouloud Oumeziane  
Minister of Labour and Vocational Training  
of the People's Democratic Republic of Algeria

ANNEXED TABLE  
PROPOSED TRAINING PROGRAMME  
(*Indicative breakdown*)

<i>Field of specialization</i>	<i>Number of persons per year</i>	<i>Duration of training</i>	<i>Duration of programme</i>
Construction . . . . .	3,000	8 months (24,000)	To be determined by the technical committee
— Primary works			
— Secondary works — Technicians			
Mechanical engineering and metallurgy . . . . .	1,500	6 months (9,000)	
Industrial machinery—construction machinery— agricultural machinery . . . . .	1,000	6 months (6,000)	
Accounts—management . . . . .	500	6 months (3,000)	
— Assistant accountants — Accountants			
Upgrading . . . . .	6,000	2 months (12,000)	
Further training			
	12,000	54,000 training months	

## II

THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA  
MINISTRY OF LABOUR AND PROFESSIONAL TRAINING  
Permanent Secretary

Algiers, 18 September 1980

Sir,

I have the honour to acknowledge receipt of your letter of 18 September 1980 which reads as follows:

[See letter I]

I have the honour to inform you that the provisions contained in your letter are acceptable to the Algerian Government and that these provisions will enter into force with effect from 1 October 1980.

Accept, Sir, etc.

[Signed]

AMMAR-AZOUZ  
Permanent Secretary  
Ministry of Labour  
and Professional Training

Mr. Lionel Stoleru  
Secretary of State to the Minister of Labour  
and Participation of the French Republic

## DECLARATION BY FRANCE

The return to Algeria of Algerian workers and their families, as provided for in today's exchange of letters, is based on the principle of voluntary repatriation.

The measures taken and the resources made available are intended to encourage the voluntary return of 35,000 workers each year.

An evaluation of the results achieved shall be undertaken by the French Government having regard to the objectives pursued, by 30 June 1983, that is to say six months before the expiry of the Agreement.

Algiers, 18 September 1980

[LIONEL STOLERU]