

No. 26443

**FRANCE
and
ALGERIA**

**Convention on cultural, scientific and technical cooperation
(with administrative and financial protocol). Signed at
Paris on 11 March 1986**

**Exchange of letters constituting an agreement amending the
above-mentioned Convention. Algiers, 30 March 1988**

Authentic texts of the Convention and Protocol: French and Arabic.

Authentic text of the Exchange of letters: French.

Registered by France on 16 February 1989.

**FRANCE
et
ALGÉRIE**

**Convention de coopération culturelle, scientifique et tech-
nique (avec protocole administratif et financier). Signée
à Paris le 11 mars 1986**

**Échange de lettres constituant un accord modifiant la Con-
vention susmentionnée. Alger, 30 mars 1988**

Textes authentiques de la Convention et du Protocole : français et arabe.

Texte authentique de l'Échange de lettres : français.

Enregistrés par la France le 16 février 1989.

[TRANSLATION — TRADUCTION]

CONVENTION¹ ON CULTURAL, SCIENTIFIC AND TECHNICAL COOPERATION BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA

[The Government of the French Republic and the Government of the People's Democratic Republic of Algeria,

In view of the positive results achieved through their cooperation under the Convention of 8 April 1966,² in particular in the fields of education and training,

Desiring to coordinate their joint efforts with the new requirements in the fields of human resources development and transfer of technology, which increasingly constitute a priority in their cooperation objectives,

Aware of the need to make optimum use of all the available resources so as to ensure a gradual transition towards cooperation of a higher quality,

Convinced that the strengthening of cooperation will help to deepen the understanding of each other's cultures and to consolidate the friendship between the two peoples,

Have agreed on the following arrangements:]³

PART I. GENERAL OBJECTIVES

Article 1

The two Governments undertake to strengthen and extend their cooperation in the fields of science, technology, education and culture so as to promote a deeper knowledge of their respective civilizations.

Article 2

To enhance the effectiveness of cooperation activities, the two Governments undertake to promote cultural, scientific and technical cooperation projects having specific targets and taking the form of integrated operations to be completed within a given period of time.

Article 3

The two Governments undertake to foster and develop cooperation in the field of scientific research and the training of research workers.

¹ Came into force on 30 March 1988, the date of the last of the notifications by which the Parties informed each other of the completion of the required constitutional formalities, in accordance with article 31, with effect from 1 April 1988, in accordance with the Exchange of letters of 30 March 1988.*

* See p. 102 of this volume.

² United Nations, *Treaty Series*, vol. 668, p. 241.

³ The text between brackets appears only in the authentic Arabic text and has been translated by the Secretariat of the United Nations — Le texte entre crochets n'apparaît que dans le texte authentique arabe et a été traduit par le Secrétariat de l'Organisation des Nations Unies.

Activities in this context shall aim at strengthening capacity in respect of scientific design and expertise, principally through the implementation of programmes designed in a spirit of mutual cooperation and corresponding to established national priorities in respect of scientific and technical development.

Article 4

The two Governments shall develop technical cooperation which contributes to the realization of economic and social development objectives, *inter alia* in the areas of technological expertise and enhancement of the productive potential of sectors to be determined by mutual agreement.

Article 5

The two Governments shall cooperate in the fields of education and training through the provision of teachers, the exchange of experiences, joint research in the area of teaching and the initial and ongoing training of teaching personnel and specialists.

The two Governments shall support the development of close cooperation between their respective universities and institutions of higher education or vocational training through the exchange of teachers, research workers, technicians and students and through the exchange of information and documentation.

The two Governments shall take appropriate measures to facilitate the access and admission of Algerian students and trainees to educational and training institutions in France.

Article 6

The two Governments shall take appropriate measures to facilitate exchanges in the fields of culture, the arts, communication, youth and sports. They shall promote, at both national and local levels, exchanges and cooperation between their institutions and authorities in these different fields.

They shall take particular interest in cooperation with respect to books, radio, television, cinema, cultural documentation, archaeological excavations, the preservation of historical monuments and museology, as well as, in general, the protection and preservation of each country's cultural heritage.

Article 7

Individual agreements, which may establish joint governmental entities for their implementation, may be concluded for the realization of the objectives set forth in this Convention.

PART II. AUTHORITIES AND PROCEDURES

Article 8

A joint commission for cultural, scientific and technical cooperation shall be instituted, whose members shall be designated respectively by each of the two Governments.

Article 9

The joint commission for cultural, scientific and technical cooperation:

- Shall establish general guidelines for such cooperation;
- Shall examine the results of activities undertaken in the areas of cultural, scientific and technical cooperation between the two States;
- Shall resolve, when necessary, issues which the various forums concerned with culture, scientific and technical cooperation have been unable to settle.

Article 10

The joint commission for cultural, scientific and technical cooperation shall meet once every two years, alternately in each of the two States. If necessary, it may hold additional meetings between these sessions.

Article 11

Along with the joint commission for cultural, scientific and technical cooperation, there shall be instituted a joint committee on projects.

Each Government shall appoint a co-chairman for this committee, as well as the permanent members and advisory experts comprising it.

The committee on projects shall hold two regular sessions annually, alternately in each of the two States. It may meet in special session at the request of either of its co-chairmen.

Article 12

The committee on projects shall deal with target-oriented cooperation activities. In this context, it shall be responsible for:

- Taking decisions on the eligibility of project proposals submitted to it for cultural, scientific and technical cooperation and determining, according to the established procedures, the modalities of technical and financial implementation;
- Evaluating ongoing projects, ensuring that they are carried out in the conditions established and deciding on appropriate ways and means of resolving any difficulties which could impede their successful execution;
- Studying activity reports and proposals from the cultural, scientific and technical cooperation authorities covered by this Convention which collaborate in the implementation of target-oriented cooperation;
- Preparing an evaluation of the activities for the joint commission and informing it of the conditions of their execution, their prospects and new initiatives that should be taken.

Article 13

There shall be instituted a joint committee on cooperation personnel, responsible for the application of the provisions of the administrative and financial protocol annexed to this Convention and for monitoring their implementation.

Article 14

In the context of sectoral agreements on economic cooperation and of the individual agreements provided for in article 7 of this Convention, the joint governmental structures established may autonomously implement cooperation activities in the areas concerning them.

To benefit from the resources provided for under this Convention, they shall submit to the authorities instituted under this part all proposals for cultural, scientific and technical cooperation activities.

PART III. ORGANIZATION AND RESOURCES UTILIZED FOR CULTURAL,
SCIENTIFIC AND TECHNICAL COOPERATION

Section I. TARGET-ORIENTED COOPERATION

Article 15

Target-oriented cooperation projects may:

- (a) Include all or some of the following activities:
- Pre-feasibility and feasibility studies;
 - Study and development of teaching methods;
 - Training;
 - Diagnostic expertise;
 - Management support;
 - Maintenance support;
 - Research and development;
- (b) Seek the cooperation of one or more French public, semi-public or private operators proposed by the French Government and selected by mutual agreement between the two Governments.

Article 16

Each target-oriented cooperation project shall have its own technical file containing the following information:

- A clear definition of the target to be achieved;
- The duration of the project;
- The schedule for carrying out the project and the resources to be utilized;
- The persons from each of the two countries responsible for carrying out the project;
- Monitoring and technical evaluation procedures;
- A preliminary estimate of the level of funding needed;
- A financing plan.

Article 17

Target-oriented project proposals:

- (a) May be submitted by:
- The joint governmental structures provided for in article 14 of this Convention;
 - Ministries, local authorities and public or semi-public bodies in either State;
 - Algerian enterprises;
 - French enterprises;

(b) Shall be addressed to:

- On the Algerian side, the Ministry of Foreign Affairs;
- On the French side, the Ministry of Foreign Affairs, for consideration by the competent authorities of each State.

Section II. SCIENTIFIC AND TECHNOLOGICAL COOPERATION

Article 18

The parties shall promote scientific and technological cooperation between national bodies and institutions in charge of training, research and technological innovation in the two States.

Article 19

Scientific and technological cooperation shall be carried out through:

- (a) Visits by French research workers and technicians to Algeria and visits by Algerian research workers and technicians to France, in connection with scientific bodies and other operators in the host State;
- (b) The constitution of joint research teams composed of research workers and technicians from both States;
- (c) Lasting associations between laboratories or scientific institutions in each of the two States;
- (d) The organization of symposia, seminars, meetings and training sessions involving both Algerian and French research workers and technicians for the study of common scientific and technological problems;
- (e) The participation of French and Algerian research workers and technicians in conferences, seminars and meetings or training sessions organized in either State;
- (f) The promotion and exchange of scientific and technical information, the issuing of joint publications and collaboration in the area of scientific and technical publishing;
- (g) The realization of joint research projects which may lead to achievements validating the research undertaken and its results, for the purpose of drawing mutually advantageous benefits therefrom;
- (h) Any other form of scientific and technological cooperation mutually agreed upon.

Article 20

There shall be instituted a joint scientific committee composed of representatives of the administrations in charge of, and the research training organizations concerned with, scientific cooperation between the two States. Subject to the agenda, scientific experts may be invited to participate in the work of the committee.

Article 21

The joint scientific committee shall meet at least once a year. Its task shall be to:

- (a) Take stock of all ongoing scientific cooperation operations and to evaluate and harmonize them;

- (b) Receive and examine all proposals for new activities and to subject them or have them subjected to scientific evaluation;
- (c) Elaborate a draft overall cooperation programme for the following year:
 - Ensuring the general coherence of the activities;
 - Taking into account the mutual concern for the initial and further training of research workers;
 - Showing how the priorities compare with the orientations defined by the two States, in accordance with the provisions of this Convention;
- (d) Present this draft programme to the respective governmental authorities, indicating any contributions they should make for its realization and pointing out, in particular, those projects which deserve to be examined by the projects committee.

Section III. INTER-UNIVERSITY COOPERATION

Article 22

The two Governments shall promote the elaboration of cooperation projects established directly through agreements concluded between university-level institutions of the two States in the areas of teaching, training, research, the exchange of knowledge and documentation.

Article 23

On the initiative of universities and institutions, notwithstanding the cooperation they may enter into autonomously, inter-university cooperation projects may be presented to the evaluation and planning committee instituted in article 24 below.

Article 24

There shall be instituted a joint evaluation and planning committee (CMEP) on Franco-Algerian inter-university cooperation, composed of an equal number of qualified representatives of institutions of higher education from each of the two States, as well as of representatives of the ministerial departments concerned, appointed by the two Governments.

Each party shall appoint a coordinator in charge of the work carried out according to a timetable established by mutual agreement. The joint evaluation and planning committee shall meet at least once a year, alternately in each of the two States.

Article 25

To benefit from the arrangements and resources provided for in the Convention on Cultural, Scientific and Technical Cooperation and the protocols thereto, a project agreed upon by the aforementioned institutions of each of the two States must:

1. Be designed in the form of a target-oriented project to be carried out within a given time period;
2. Have been evaluated as to quality by the joint evaluation and planning committee (CMEP) instituted under article 24 above;
3. Be authorized by the joint committee on projects instituted under article 11 of the Convention on Cultural, Scientific and Technical Cooperation.

Article 26

CMEP shall be responsible for:

- (a) The exchange of experience and information concerning inter-university co-operation, including educational programmes, scientific advances, teaching, university organization and the examination of cooperation projects;
- (b) Evaluating the quality of projects submitted to it by institutions seeking to benefit from the arrangements and resources provided for in this Convention, for the purpose of guiding the decisions of the committee on projects;
- (c) The annual evaluation of the execution of projects authorized by the committee on projects to which it shall transmit its conclusions.

It may propose to the institutions concerned whatever modification to ongoing cooperation projects it may deem useful.

Section IV. RESOURCES

Article 27

The implementation of cultural, scientific and technical cooperation may necessitate mobilization of the following resources:

- (a) Cooperation personnel:
 1. Either under a long-term contract;
 2. For a short-term mission;
 3. Or as national service volunteers;
- (b) University-level personnel on secondment or on mission;
- (c) Missions, study visits and scholarships for study, training and research;
- (d) The provision of support materials and equipment;
- (e) Exchanges of information and documentation.

Article 28

The resources to be mobilized may make use of various types of financing:

- Fixed contributions by both Governments;
- Long-term loans on preferential terms;
- Guaranteed private credits.

Article 29

The status of personnel and the rules for the apportionment of the costs relating to the various resources provided for in article 27 are set forth in the administrative and financial protocol annexed hereto.

PART IV. MISCELLANEOUS PROVISIONS

Article 30

The Convention concerning technical and cultural cooperation of 8 April 1966,¹ the Convention on scientific cooperation of 11 July 1973² and the subsequent amendments and exchanges³ of letters are hereby abrogated.

¹ United Nations, *Treaty Series*, vol. 668, p. 241.

² *Ibid.*, vol. 1579, No. I-27557.

³ *Ibid.*, vol. 772, p. 557; vol. 777, p. 361; vol. 811, p. 379; and vol. 1248, pp. 442 and 447.

Article 31

Each of the two parties shall notify the other of the completion of the constitutional formalities required for the entry into force of this agreement, which shall take place on the date of receipt of the second such notification, with effect from 1 September 1986.¹

Article 32

This Convention is concluded for a period of 10 years. It may be amended at any time and renewed by agreement between the two Governments. It may be denounced by either party upon 12 months' notice.

IN WITNESS WHEREOF the undersigned, being duly authorized for the purpose, have signed this Convention.

DONE at Paris on 11 March 1986 in two copies in the French and Arabic languages, both texts being equally authentic.

For the Government
of the French Republic:

[Signed]

CHRISTIAN NUCCI
Minister-Delegate to the Minister
for Foreign Affairs
in charge of Cooperation
and Development

For the Government
of the People's Democratic Republic
of Algeria:

[Signed]

MOHAMED ABERKANE
Vice-Minister
for Cooperation

¹ The date of effect was deferred until 1 April 1988. (See Exchange of letters of 30 March 1988 on page 102 of this volume.)

ADMINISTRATIVE AND FINANCIAL PROTOCOL ON RESOURCES FOR CULTURAL, SCIENTIFIC AND TECHNICAL COOPERATION

Article 1

The utilization of the resources for cooperation referred to in article 27 of the Convention on Cultural, Scientific and Technical Cooperation shall be governed by the provisions of this Protocol.

Chapter I. LONG-TERM CIVILIAN COOPERATION PERSONNEL

Article 2

Posts which the Algerian Government may give to French cultural, scientific and technical cooperation personnel and which are provided for under an integrated project or defined in the specifications shall appear on a post description sheet. Other posts shall appear on a profile sheet.

Article 3

The Algerian Government shall transmit to the French Government the profile or post description sheets provided for in the preceding article so that the French administration may seek out appropriate candidates.

The Algerian Government may, at any time, recruit personnel of French nationality directly, provided that they meet the general conditions stipulated for the recruitment of cooperation personnel. The French Government undertakes to support the efforts of the Algerian Government in this mode of recruitment.

The applications submitted shall be examined by the joint committee on personnel provided for in article 13 of the Convention on Cultural, Scientific and Technical Cooperation. The recruitment shall be noted in the agreed minutes adopted by the representatives of both parties to the committee.

A single record of recruitment and of administrative and financial arrangements shall be prepared by the joint committee on personnel for the use of the services of both countries.

Article 4

On the basis of the agreed minutes, personnel recruited under article 27 of the Convention on Cultural, Scientific and Technical Cooperation shall be offered a contract approved jointly by the two parties. The contract shall contain the specifications of the post, *inter alia*, the duration of the appointment, the conditions of remuneration and the date on which it becomes effective.

The candidate must accept or refuse the contract within the time allotted to him to reply. The contract shall be considered concluded upon receipt of the written acceptance of the candidate, provided that he meets the standards of physical fitness required by both parties.

Article 5

The period of validity of the initial contract shall, in principle, be two years; however, a different period may be stipulated in view of the project for which the contract is concluded. It may subsequently be renewed annually. The offer of renewal or notice of non-renewal shall be transmitted:

- Not later than 1 March in the case of personnel whose duties are subject to the schedule of the academic year;
- At least three months before the date of expiry of the contract in the case of other personnel recruited for a period of at least one year.

The French authorities shall be informed of the above decisions within the same time limits.

In the case of personnel who do not fall in either of the above two categories, any proposal for an extension, the duration of which is fixed by amendment, shall be transmitted at least one month before the expiration date of the contract.

Article 6

French personnel engaged in cultural, scientific and technical cooperation in Algeria may neither request nor receive instructions from any authority other than the Algerian authority to which they are attached by virtue of the duties entrusted to them.

They shall be bound, both during the period of their appointment and after its expiry, to observe absolute discretion regarding the facts, information and documents which have come to their knowledge in the performance or in connection with the performance of their duties. They shall not engage in any political activity in Algerian territory and shall refrain from any act liable to injure the material and moral interests of either the Algerian or the French authorities.

They shall not perform, for the duration of their appointment, directly or indirectly, any gainful activity in Algerian territory.

Article 7

The Algerian Government shall accord each official the protection and guarantees it extends to its own personnel.

Article 8

For purposes of the rating of personnel in the service from which they were seconded, the Algerian authorities shall transmit annually to the French authorities, in good time, an evaluation of the performance of such personnel. When the number of personnel attached to a given French administration justifies such action, one or more officers of that administration may, by agreement with the Algerian authorities, be sent on mission to examine questions relating to the advancement and career development of the persons concerned in the administration from which they were seconded.

Teaching personnel shall be inspected by the Algerian authorities and, where applicable, shall be assisted by the latter in their teaching. They shall also be inspected by the competent French authorities, by agreement and with the assistance of the Algerian authorities, as frequently as is necessary for the normal development of their careers.

Article 9

The post is specified in each official's contract of appointment for the duration of the appointment. However, transfers may be effected under the provisions of this Protocol provided that they are initiated by the Algerian authorities, with the written agreement of the official and that the French authorities are notified thereof.

The official shall be entitled to reimbursement of the expenses incurred in connection with the change of residence, in accordance with Algerian regulations.

If such a transfer occurs during the term of a contract, it must be proposed at least one month before its effective implementation, unless two parties specifically agree.

Article 10

The official's working week shall be that applicable in Algeria to Algerian staff members at the same level performing the same duties.

In the case of teaching personnel, however, the tables annexed hereto stipulate the maximum hours of work as at the date of the entry into force of this Protocol.

The weekly holiday shall be that observed in Algeria. In addition, officials shall be entitled to the holidays granted in the Algerian civil service.

Teaching personnel shall be entitled, during school or university holidays, to the same amount of leave as their Algerian counterparts. However, they may be requested to administer examinations during that period, for which they shall receive remuneration from the Algerian Government in accordance with the regulations in force in Algeria.

Article 11

Officials other than those referred to in the fourth paragraph of article 10 above:

- Shall be entitled to one month's paid annual leave for each year of effective service, which may be accumulated up a maximum of two months;
- For each two-year period, leave spent in France shall entitle the staff member to travel time of six days for the outward and return journey.

Article 12

Paid leave of absence may be granted to an official for duly justified serious and exceptional reasons under the terms of the regulations in force in the Algerian administration.

An official may also be granted paid leave for up to 10 days per contract in order to take part in Algeria or, if appropriate, in France in competitive and other examinations connected with his professional activities and where appropriate in congresses and symposia relating to his area of specialization and in any refresher courses open to personnel of his category, provided that, in the case of teaching personnel, such courses are held during the school holidays, unless he receives express authorization from his superiors.

Article 13

In the event of an illness preventing an official from performing his duties, and provided such illness has been duly certified, he shall automatically be granted sick leave. Should the illness occur while he is outside Algeria, he must produce a medical certificate countersigned by the Algerian diplomatic or consular mission in the country concerned. The Algerian Government may at any time require an examination by a licensed physician or a specialist.

An official who is ill shall be entitled to sick leave at the full remuneration paid by both parties for three months, after which he may request additional sick leave at

half pay for a maximum of three months. Sick leave shall be calculated on the basis of a period of 12 consecutive months.

During sick leave, the official shall retain the rights to transfer provided for in article 31, paragraph 1.

In the event that an official is unable to resume his duties at the end of the six months prescribed in the preceding paragraph, he shall automatically revert to the jurisdiction of the French Government without notice or compensation.

In the event that an official is absent on sick leave several times during his assignment for periods not exceeding the maximum specified above for each leave, but for an aggregate period exceeding six months or a period of 14 weeks of maternity leave and three months of sick leave, the Algerian Government may return the official to the jurisdiction of the French Government without notice or compensation.

Article 14

Female officials shall be entitled to maternity leave at full pay for a period of 14 weeks.

In addition, during the 12 consecutive months following the effective date of her maternity leave, the official may request sick leave at full pay for a period not exceeding three months, after which, if she is unable to resume her duties, she shall revert to the jurisdiction of the French Government without notice or compensation.

Article 15

In the event of an accident or a service-related illness, an official shall be entitled to the maintenance of all the administrative and financial provisions of his contract until he is able to resume his duties or until specialists have evaluated the disability caused by the accident or illness. In the event that his assignment should end before he has been cured or his injuries have healed, it shall automatically be extended until such cure or healing has occurred. The French Government shall assume these expenses, as well as medical, pharmaceutical and hospitalization costs, and the payment, where applicable, of a disability pension, in the event that the accident or illness causes permanent total or partial disability, in accordance with the provisions of Act no. 72-659 of 13 July 1972 and of the texts governing its application.

If an official is hospitalized in Algeria, his benefits shall be administered by the competent Algerian institution in accordance with the regulations in force.

Such benefits shall be reimbursed in a lump sum to the aforementioned institution in accordance with the relevant provisions of the Franco-Algerian Convention on social security of 1 October 1980¹ and the general administrative arrangement of 28 October 1981, particularly its article 70.

Article 16

In the event that the official dies during the term of his contract, his beneficiaries shall be entitled to the rights provided for in article 34 of this Protocol. If he dies on Algerian territory, the Algerian authorities shall, at the request of the deceased's family, arrange for the transfer of the remains.

¹ United Nations, *Treaty Series*, vol. 1298, p. 25.

Article 17

Appointments shall normally end upon the expiration of the contract. However, the contract may be cancelled prior to its expiration.

A. By the Algerian Government:

1. Provided that the official is given one month's notice for each year of service; however, notice shall in no case be less than one month or more than three months; and provided that he is paid a termination indemnity equivalent to one month's base salary, as provided for in article 19 below, for each year of service; however, this indemnity shall in no case represent less than one month's base salary or exceed three months' base salary.

2. However, if the official:

- Fails, without valid reason, to report for duty after signing his contract;
 - Abandons his post during his contract;
 - Fails to report for duty following an authorized absence or leave, after being instructed to do so by the Algerian authorities;
 - Is sentenced to a penalty involving imprisonment or loss of civil rights;
 - Is guilty of serious professional misconduct entailing disciplinary action;
- the Algerian authorities may cancel the contract without notice or compensation.

B. In the event of urgent necessity and after notifying the Algerian party the French Government may recall an official. This exceptional measure shall not disrupt operations, and the French Government shall replace the official as soon as possible with an official of the same level and the same qualifications, and shall assume the costs involved in the replacement.

C. By the official, provided that the Algerian and French authorities are given one to three months' notice, as indicated in A (1) above. In the case of teaching personnel, such cancellation may take effect only at the end of the current academic year.

If the reasons prompting the official to cancel his contract are acknowledged to be legitimate by the joint committee on personnel, he shall be entitled to the benefits normally acquired upon the expiration of his contract.

Article 18

The only disciplinary measure which may be taken against officials by the Algerian authority to which they are attached by virtue of their duties is their return, on stated grounds, to the jurisdiction of the French Government, without notice or compensation. The personnel committee and the official shall be informed of such a decision.

Article 19

The base salary paid to officials shall be determined by multiplying the French civil service supplemented real index assigned to them in their contract, by the value of the French civil service index in force on 1 January of the year of the effective date of the contract.

It shall be revalued annually on 1 January, for all officials, in accordance with the value of the index on that date.

(a) For officials covered by the regulations of the French civil service and those who were not, at the time of their recruitment, established officials of the State, of

territorial authorities or public administrations thereof or of hospitals, the index-based salary shall be defined by reference to the hierarchical index corresponding to the step immediately above that to which they were entitled in their original organization or post on the date the contract was signed.

(b) For permanent officials of public industrial and commercial establishments, enterprises or services, the index-based salary shall be defined by reference to the index currently assigned to them or to an index calculated from the base salary they receive in their organization.

(c) For officials recruited outside the above categories, the index assigned shall be defined by reference to the scales annexed to this Protocol. In the assignment of an index on these scales, the level of academic degrees obtained, seniority and professional experience shall be taken into consideration, as well as, where applicable, the annual salary received prior to recruitment.

Officials referred to in subparagraphs (a) and (c) who are integrated into a civil service organization shall retain, if their current index is higher than that assigned upon their appointment, their previous index for as long as they have not, through advancement within their grade, obtained an index at least equal to their previous index.

The salary index as determined under this article shall remain fixed for the first two years of the contract. It shall be revised biennially under the same conditions as those laid down in this article.

Article 20

The base index-based salary, as defined in article 19 above, shall be multiplied by a factor of 1.90, as an expatriation allowance.

Article 21

A programme bonus amounting to a maximum of 30 per cent of the salary defined in article 20 above may be accorded to officials recruited in the context of an integrated project or a set of specifications, under the conditions and according to the modalities defined therein.

Article 22

Officials not entitled to the programme bonus provided for in article 21 may, where applicable, be granted research and teaching or technical bonuses determined by agreement between the two Governments. Their nature and amount shall be stipulated in the contract and shall be subject to revision under the same conditions as the base salary, *inter alia*, on the basis of the scales annexed hereto.

Article 23

Officials shall benefit from the provisions relating to duty stations, as laid down in the annex hereto.

Article 24

Where applicable, the base salary defined in article 19 of this Protocol shall be supplemented by family allowances, which shall be determined in accordance with the table annexed to this Protocol.

Article 25

At the time of their initial recruitment, officials shall receive an installation allowance. This allowance, which may not be received concurrently with any other allowance of the same type, shall equal 40 per cent of the gross annual pensionable salary corresponding to the supplemented real index 100 of the French civil service on 1 January of the year preceding the date the contract becomes effective.

Article 26

For purposes of apportioning the costs associated with personnel remuneration between the two States, officials shall be divided into the following categories:

- (a) Officials recruited in the context of an integrated project or a set of specifications;
- (b) Officials assigned to training programmes for training personnel;
- (c) Teachers in professional colleges;
- (d) Higher education teachers having a rank at least equal to that of senior lecturer (*maître de conférence*) or the equivalent thereof;
- (e) Teachers of French in higher education;
- (f) Officials not covered by the above categories.

Article 27

The Algerian Government shall assume the costs of the remuneration determined through the application of articles 19 and 20 above and the bonuses referred to in article 22 above, in the following proportions:

- 50 per cent in the case of officials referred to in article 26 (a) and (b) above;
- 60 per cent in the case of officials referred to in article 26 (c), (d) and (e) above;
- 75 per cent in the case of officials referred to in article 26 (f) above.

Article 28

The Algerian Government shall assume the costs of all the allowances provided for in article 23 above.

Article 29

The French Government shall assume the costs of the remuneration determined through the application of articles 19 and 20 above and the bonuses referred to in article 22, in the following proportions:

- 50 per cent in the case of officials referred to in article 26 (a) and (b) above;
- 40 per cent in the case of officials referred to in article 26 (c), (d) and (e) above;
- 25 per cent in the case of officials referred to in article 26 (f) above.

Article 30

The French Government shall pay:

- The programme bonus provided for in article 21 above;
- All of the family benefits provided for in article 24 above;
- The installation allowance provided for in article 25 above;
- The employer's share of social security contributions.

Article 31

The various remuneration components assumed by France shall be paid in France, in convertible French francs.

The components assumed by the Algerian authorities shall be paid in dinars at the exchange rate in force on the effective date of payment.

Article 32

Officials may receive in France, in French francs, one half of the remuneration of which the cost is shared between the two States, after the deduction of taxes due in Algeria and social security contributions paid in France. This proportion shall be set at 70 per cent when the official's family resides permanently in France.

Each month, the Algerian authorities shall authorize the transfer of the share of remuneration paid in local currency, to allow the effective enjoyment of this entitlement.

Transfer entitlements shall be calculated on the basis of the exchange rate in force on the effective date of the transfer.

Officials may receive the entire amount of their remuneration thus calculated in French francs during the period of annual leave if they spend that leave outside Algeria.

Article 33

Cooperation personnel shall be subject to the provisions of the tax convention signed on 17 May 1982 between France and Algeria or to any other convention of the same type which may be substituted therefor.

Taxable income shall consist of the base salary defined in article 19 of this Protocol.

Article 34

Officials shall be entitled, when travelling from their place of residence in France to their duty station in Algeria at the time of their recruitment and from their duty station in Algeria to their place of residence in France at the time of their final return:

- (a) To reimbursement of travel expenses by the most economical route for themselves, their spouse and their dependent children;
- (b) To payment of a flat-rate removal allowance equal to twice the index-based gross base salary corresponding to the gross index 416 of the French civil service if the staff member travels to Algeria alone.

This allowance shall be increased by 40 per cent if the official is accompanied or joined by his spouse within six months after taking up his duties, and by 15 per cent per dependent child if he is accompanied or joined by the latter within six months after taking up his duties.

If both husband and wife are cooperation personnel, only one shall be entitled to the base allowance; the other shall be treated as the spouse for the purpose of the preceding provisions.

These allowances shall be paid by the French Government on the outward journey and by the Algerian Government on the return journey.

Article 35

Officials shall be entitled every two years, in connection with leave spent in France, to payment of a travel allowance equal to the cost of the round-trip journey by air in economy class between Algeria and Marseilles for the staff member, his spouse and his dependent children. This allowance shall be paid by the Algerian Government. It may not, however, be paid simultaneously with the allowance provided for in article 34 above.

Article 36

Officials shall be entitled to a per diem allowance or reimbursement of expenses incurred in connection with travel or transfer on official business, in accordance with the general regulations which apply to Algerian officials occupying posts at the same level. This allowance shall be paid by the Algerian Government.

Article 37

Officials shall be covered by the French social insurance scheme. Employees' contributions shall be deducted from the French share of their remuneration.

Article 38

The Algerian Government shall authorize the entry into its territory, without duties and other charges and formalities relating to foreign trade and exchange control of each staff member's personal effects, professional materials necessary for the exercise of his duties and furniture, as well as those of his family, subject to any appropriate justification; all such items must be imported at the same time within six months of the official's entry into Algeria. This regime shall apply to the import of one motor vehicle during the term of the contract and, if the contract is renewed, once every four years save if the vehicle is stolen or involuntarily destroyed and this can be duly proved.

Chapter II. EXPERTS RECRUITED UNDER CONTRACT

Article 39

The provisions of this Protocol shall apply not only to the personnel referred to in chapter I above concerning long-term civilian cooperation personnel, but also to the recruitment, by agreement between representatives of the two Governments of experts under specific contract to carry out an integrated project or to execute a set of specifications; the contract shall stipulate the nature and duration of the mission of such officials as well as the particular conditions and modalities relating to their remuneration and accommodation.

Article 40

The contract shall specify the level of remuneration to be paid to such officials and the manner in which it is to be paid.

The Algerian Government shall contribute towards such remuneration a net flat-rate monthly subsistence allowance in an amount equal to the base salary of an Algerian official at index 1000 as it is valued in the month preceding the date of signature of the contract. This allowance shall be paid in non-transferable dinars.

The French Government shall pay the difference between the remuneration stipulated in the contract and the amount of the subsistence allowance paid by the

Algerian Government. It shall make such payment in France in transferable French francs.

Chapter III. UNIVERSITY PERSONNEL ON SECONDMENT

Article 41

In addition to the personnel referred to in chapters I and II above concerning, respectively, long-term cooperation personnel and experts recruited under contract, this Protocol shall apply to the engagement of university personnel on secondment to carry out a target-oriented project or to execute a set of specifications, in accordance with the statutory provisions concerning them.

Article 42

For the duration of the assignment on secondment, the French Government shall pay the official a monthly expatriation bonus equal to 100 per cent of his gross monthly index-based salary in the French civil service on the date of signature of the letter of appointment. This allowance shall be paid by the French Ministry of Foreign Affairs.

Article 43

For the duration of the assignment on secondment, the Algerian Government:

(a) Shall pay the official a net monthly allowance for living expenses equal to the Algerian base salary at index 700.

The first payment shall be made in the first 15 days of the assignment. The last payment shall be made not later than 15 days before the end of the assignment.

(b) Shall assume the travel costs for the seconded official to report to his post in Algeria at the beginning of the assignment and to his post in France at the end of the assignment, including the cost:

- (1) Of an airplane ticket for travel between the international airports nearest to the universities concerned in each of the two States;
- (2) Of excess luggage equal to 50 kilograms over and above the amount allowed free of charge by the airline.

Chapter IV. SHORT-TERM ASSIGNMENTS

Article 44

In the context of this Protocol, the French Government shall make available to the Algerian authorities French teachers, research workers or experts on short-term assignments.

The duration and the content (purpose and programme) of such an assignment and the manner in which it is expected to proceed shall be specified in a technical sheet; the latter shall also stipulate the resources which may be made available to the experts. The person concerned must receive this technical sheet at least one month before the date of departure. The expert must furnish his reply within eight days.

Article 45

Officials on assignment shall be required to produce a report for the authorities of both States.

Article 46

Officials on short-term assignment shall continue to receive their remuneration from their employer. The costs of the round-trip journey between France and the place of their assignment shall be borne by the French Government.

During their assignment they shall receive a per diem allowance in the amount of 300 dinars, paid by the Algerian Government.

This allowance may, if necessary, be revised by agreement between the two Governments.

The Algerian authorities shall provide housing for officials on short-term assignment.

Chapter V. INVITATIONS, HIGH-LEVEL SCIENTIFIC VISITS AND SCHOLARSHIPS FOR STUDY AND TRAINING

Article 47

For invitations to France for periods of up to three months, the costs of round-trip travel for the invitees may be borne by either party. The French Government shall pay a per diem flat-rate allowance to the persons concerned as stipulated by French regulations.

Article 48

For high-level scientific visits and scholarships for study or training, the modalities of payment for the outward journey shall be in accordance with Algerian regulations in force.

The French Government shall assume the scholarship costs, including social security coverage and training fees in accordance with French regulations, as well as the costs of the final journey back to Algeria.

Chapter VI. OTHER ARRANGEMENTS AND MISCELLANEOUS PROVISIONS

Article 49

The Algerian Government shall exempt the support materials and equipment referred to in article 27 (d) of the Convention on Cultural, Scientific and Technical Cooperation, which is provided free of charge by the French party in the context of cultural, scientific and technical cooperation, from all customs duties and other charges and from formalities relative to the control of foreign trade, and from import duties.

Article 50

This Protocol is concluded for a period of five years. It shall enter into force on the same date as the Convention on Cultural, Scientific and Technical Cooperation, with effect from 1 September 1986.¹

It may be amended at any time by agreement between the French Government and the Algerian Government. It may be denounced by either party upon six months' notice.

¹ The date of effect was deferred until 1 April 1988. (See Exchange of letters of 30 March 1988 on page 102 of this volume.)

IN WITNESS WHEREOF the undersigned, being duly authorized for the purpose, have signed this Administrative and Financial Protocol.

DONE at Paris on 11 March 1986 in two copies in the French and Arabic languages, both texts being equally authentic.

For the Government
of the French Republic:

[Signed]

CHRISTIAN NUCCI
Minister-Delegate to the Minister
for Foreign Affairs in charge
of Cooperation and Development

For the Government
of the People's Democratic Republic
of Algeria:

[Signed]

MOHAMED ABERKANE
Vice-Minister
for Cooperation

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA AMENDING THE CONVENTION ON CULTURAL, SCIENTIFIC AND TECHNICAL COOPERATION OF 11 MARCH 1986²

I

EMBASSY OF FRANCE IN ALGERIA
THE AMBASSADOR

Algiers, 30 March 1988

Sir,

Following exchanges of views between the Embassy and the Algerian authorities concerning the effective date of the Convention on Cultural, Scientific and Technical Cooperation between the Government of the French Republic and the Government of the People's Democratic Republic of Algeria and that of the Administrative and Financial Protocol on Resources for Cultural, Scientific and Technical Cooperation and its annexes, done at Paris on 11 March 1986,² and that of the Protocol concerning Active National Service Volunteers, done at Algiers on 7 September 1986,³ I have the honour to propose, on instructions from my Government, that 1 April 1988 be fixed as the effective date of the above-mentioned texts.

I should be grateful if you would let me know whether your Government agrees to the preceding provisions. If such is the case, this letter and your reply shall constitute an agreement between our two Governments to change the effective date of the above-mentioned texts to 1 April 1988.

Accept, Sir, etc.

[Signed]

BERNARD BOCHET

H. E. Mr. Ahmed Taleb Ibrahimi
Minister for Foreign Affairs
of the People's Democratic Republic
of Algeria
Algiers

¹ Came into force on 30 March 1988, the date of the letter in reply, in accordance with the provisions of the said letters.

² See p. 82 of this volume.

³ See p. 105 of this volume.

II

PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA
MINISTRY OF FOREIGN AFFAIRS

Algiers, 30 March 1988

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

[See letter I]

I have the honour to confirm the agreement of the Algerian Government to the foregoing.

Accept, Sir, etc.

(For the Minister:)

[Signed]

A. ABADA
Director for Western Europe
and North America

His Excellency Mr. Bernard Bochet
Ambassador of France in Algiers
