

No. 10351

FRANCE
and
ALGERIA

Protocol concerning the participation of France in the establishment, administration and operation of the Algiers - Cap-Matifou National School of Engineers and Technicians (with exchanges of letters). Signed at Algiers on 8 July 1967

Authentic text: French.

Registered by France on 11 March 1970.

FRANCE
et
ALGÉRIE

Protocole relatif à la participation de la France à la création, à la gestion et au fonctionnement de l'École nationale d'ingénieurs et de techniciens d'Alger-Cap-Matifou (avec échanges de lettres). Signé à Alger le 8 juillet 1967

Texte authentique: français.

Enregistré par la France le 11 mars 1970.

[TRANSLATION — TRADUCTION]

PROTOCOL¹ CONCERNING THE PARTICIPATION OF FRANCE IN THE ESTABLISHMENT, ADMINISTRATION AND OPERATION OF THE ALGIERS — CAP-MATIFOU NATIONAL SCHOOL OF ENGINEERS AND TECHNICIANS

The Government of the French Republic and

The Government of the Democratic and Popular Republic of Algeria,

Convinced of the need to intensify their co-operation with regard to the training of Algeria's higher technical personnel;

Recalling that by an exchange of letters on 22 April 1963² they agreed that until 1 October 1968 the Cap-Matifou *lycée* would be administered by the French University and Cultural Office;

Deeming it appropriate to advance to 1 July 1967 the date of transfer of the ownership and administration of that institution to the Algerian Ministry of Defence, which shall on that date assume full responsibility with respect both to management and to instruction;

Considering that the Government of the French Republic agrees to assist the Algerian authorities, over a five-year period, in converting the institution into a National School of Engineers and Technicians, a public institution having legal status and financial autonomy, placed under the auspices of the Algerian Minister of Defence;

Having been informed of the desire expressed by the Algerian Minister of Defense, with a view to increasing recruitment possibilities to the maximum, to attach to this institution a school operating at Dar Beida (Department of Oran) which provides technical instruction up to the level of the fifth form for pupils from the technical training centres,

Agree as follows :

CHAPTER I

DIRECTION AND OPERATION

Article 1

The Boards of Governors of the National School of Engineers and Technicians shall comprise :

¹ Came into force on 1 July 1967, in accordance with article 9.

² See p. 187 of this volume.

- Six Algerian members, including the Chairman of the Board of Governors;
- five French members, including two inspectors-general of technical education, one a specialist in general education, the other a specialist in vocational training, and the Director of the University and Cultural Office.

Board members shall be appointed by their respective Governments in the month following signature of this agreement.

The Board of Governors shall be competent, *inter alia*, to determine the institution's general policy and curricula, to prepare its budget and supervise the implementation thereof, and to draw up the School's regulations.

The Board of Governors shall be convened at least twice a year by its Chairman.

Article 2

A director, assisted by a director of studies and a general secretary, shall be in charge of both management and instruction. These three posts shall initially be filled by French appointees, who shall serve for a period of two years, which may be renewed if necessary.

The school shall be placed under the authority of an Algerian military Commander, who shall be responsible for discipline and for civil and military training.

Article 3

The French Government shall, to the extent of its capabilities and within the framework of a Technical Assistance Mission, make available to the Algerian Government the necessary teaching and administrative staff, with a view to filling those posts for which the Algerian Government does not yet have qualified personnel.

Article 4

The special case of the Dar Beida School shall be the subject of an exchange of letters between the two Governments.

CHAPTER II

STATUS OF FRENCH STAFF

Article 5

The French staff making up the Technical Assistance Mission shall be recruited in accordance with the procedures laid down in, and shall be governed

by the provisions of, the Convention concerning technical and cultural co-operation of 8 April 1966¹. They shall be placed under the administrative, disciplinary and technical authority of the Chief of Mission, who shall initially be the director of the School.

Civilian staff shall have the benefit of a step differential so that they may be remunerated at the step above their step in the French national education system, in accordance with the provisions of decree No. 471-216 of 1 July 1947 regulating the status of teachers seconded to French military schools. An appointee who has reached the highest step of his grade shall receive an allowance equal to the difference between the salaries attaching to the last two steps respectively.

Article 6

Inspection of the French teaching staff shall be carried out as provided for in article 33 of the Convention of 8 April 1966.

CHAPTER III FINANCING

Article 7

The French Government shall participate in the costs of repairing, fitting out and equipping the Algiers – Cap-Matifou School, exclusive of all new construction and of all operating expenses other than those for which it is responsible in respect of remuneration of the staff of the Technical Assistance Mission, in accordance with the provisions of the Convention of 8 April 1966.

For the year 1967 the French Government shall assume responsibility, to a maximum of 1,000,000 francs, for repairing, fitting out and equipping the School so that it can re-open for the school year beginning in October 1967. The arrangements for fulfilling this responsibility shall be governed by a convention between the Caisse d'équipement et de développement de l'Algérie and the Algiers – Cap-Matifou National School of Engineers and Technicians.

In subsequent years the nature and amount of the French contribution, which may in no case exceed the maximum stipulated in the foregoing paragraph, shall be determined each year by an exchange of letters.

Article 8

Operating expenses and the cost of new construction, together with any balance remaining from the cost of repairing, fitting out and equipping the School, shall be borne by the Algerian Government.

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

Article 9

This Convention is concluded for a period of five years, to be reckoned from 1 July 1967.

DONE at Algiers, 8 July 1967.

For the Government
of the French Republic :

Pierre DE LEUSSE
High Representative
Ambassador
of the French Republic
in Algeria

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

President of the Council
Minister of Defence,
CHABOU
Commander Chabou
Member of the Revolutionary Council
General Secretary
of the Ministry of Defence

EXCHANGES OF LETTERS

I, *a*

EMBASSY OF FRANCE IN ALGERIA
Military Liaison and Co-ordination Mission

Algiers, 8 July 1967

Sir,

During the talks held between our two Governments for the purpose of studying the Protocol concerning the participation of France in the establishment, administration and operation of the Algiers – Cap-Matifou School of Engineers and Technicians, it was recognized that there was a need to encourage the recruitment of teachers and technicians.

It was agreed that special benefits would be allowed them by your Ministry, taking into account the isolation of their place of work and the high qualifications required of them in order to maintain the level of the School and to convert it and establish its reputation.

The first such benefit is the provision of appropriate housing for members of the Technical Assistance Mission and their families, close to the place of work.

The second consists in making applicable to such staff provisions identical to those established by the French Ministry of Education with regard to the regulation of any overtime necessitated by a shortage of teachers. This arrange-

ment is agreed upon in connexion with the particular case of the Algiers – Cap-Matifou School; in no circumstances shall reference be had to this precedent for the purpose of making it applicable to other areas of co-operation.

The third benefit concerns the maintenance, within the School, of a teaching unit at the primary level attached administratively and financially to the French University and Cultural Office and intended mainly for children of staff members.

I have the honour to request that you confirm your agreement to these arrangements.

Accept, Sir, etc.

Pierre de LEUSSE

[SEAL]

The President of the Revolutionary Council
of the Democratic and Popular Republic of Algeria
Minister of Defence

II, a

DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA
MINISTRY OF DEFENCE
CABINET

Algiers, 8 July 1967

Sir,

I have the honour to acknowledge receipt of the letter you sent me today, reading as follows :

[See letter I, a]

These proposals are accepted by the Algerian Government.

Accept, Sir, etc.

For the Prime Minister,
Minister of Defence :
(Commander) CHABOU

His Excellency Pierre de Leusse, Ambassador,
High Representative of the French Republic
in Algeria

I, b

MINISTRY OF DEFENCE
DEMOCRATIC AND POPULAR REPUBLIC OF ALGERIA

Algiers, 8 July 1967

Sir,

During the negotiations which led to the signature of the Protocol concerning the participation of France in the establishment, administration and operation of the Algiers – Cap-Matifou National School of Engineers and Technicians, the Algerian side drew attention to my desire that the school at Dar Beida (Department of Oran) should be attached to an institution at which pupils leaving the technical training centres can study for the mathematics and technical *baccalaureats* and thus be brought up to the level of higher scientific and technical studies.

The negotiators accordingly agreed that :

1. The military commander of the Algiers – Cap-Matifou School would have authority over the Dar Beida School;
2. The mixed Board of Governors of the Algiers – Cap-Matifou School would be competent to lay down general policy and establish curricula for the Dar Beida School;
3. The director of the Algiers – Cap-Matifou School would be empowered by statute to supervise instruction at the Dar Beida School.
4. The Board of Governors would be authorized to request the French Government to make available to the Dar Beida School, to the extent of its capabilities, any teaching staff that the Director of the School could not recruit in Algeria. Such staff would be governed by the Convention of 8 April 1966 and would enjoy the same benefits as the French staff of the Algiers – Cap-Matifou National School of Engineers and Technicians.

I have the honour to request that you confirm your agreement to these arrangements.

Accept, Sir, etc.

CHABOU

His Excellency Pierre de Leusse, Ambassador,
High Representative of the French Republic
in Algeria

II, b

EMBASSY OF FRANCE IN ALGERIA

The Ambassador

1208/SP

Algiers, 8 July 1967

Sir,

I have the honour to acknowledge receipt of the letter which you sent me today, reading as follows :

[See letter I, b]

These proposals are accepted by the French Government.

Accept, Sir, etc.

Pierre DE LEUSSE

[SEAL]

The President of the Revolutionary Council
of the Democratic and Popular Republic of Algeria
Minister of Defence
