

No. 7395

**FRANCE
and
ALGERIA**

**Exchange of letters and declarations adopted on 19 March
1962 at the close of the Evian talks, constituting an agree-
ment. Paris and Rocher Noir, 3 July 1962**

Official text: French.

Registered by France on 24 August 1964.

**FRANCE
et
ALGÉRIE**

**Échange de lettres et déclarations adoptées le 19 mars 1962
à l'issue des pourparlers d'Évian, constituant un accord.
Paris et Rocher Noir, 3 juillet 1962**

Texte officiel français.

Enregistré par la France le 24 août 1964.

[TRANSLATION — TRADUCTION]

No. 7395. EXCHANGE OF LETTERS AND DECLARATIONS
ADOPTED ON 19 MARCH 1962 AT THE CLOSE OF THE
EVIAN TALKS, CONSTITUTING AN AGREEMENT¹ BE-
TWEEN FRANCE AND ALGERIA. PARIS AND ROCHER
NOIR, 3 JULY 1962

EXCHANGE OF LETTERS

I

*Letter from the President of the French Republic
to the President of the Provisional Executive of the Algerian State*

GENERAL DE GAULLE

Paris, 3 July 1962

Sir,

France has taken note of the results of the vote of 1 July 1962 on self-determination and of the implementation of the Declarations of 19 March 1962. France has recognized the independence of Algeria.

In consequence, and in accordance with chapter V of the General Declaration of 19 March 1962, the powers of sovereignty over the territory of the former French Departments of Algeria are, as from this day, transferred to the Provisional Executive of the Algerian State.

On this significant occasion, I wish to express to you, in deep sincerity, the good wishes of myself and of all France for the future of Algeria.

Accept, Sir, the assurances of my highest consideration.

C. DE GAULLE

Mr. Abderrahmane Fares
President of the Provisional Executive
of the Algerian State

¹ Came into force on 3 July 1962, the date of the exchange of the said letters, in accordance with chapter V of the General Declaration.

II

*Letter from the President of the Executive of the Algerian State
to the President of the French Republic*

PROVISIONAL EXECUTIVE OF THE ALGERIAN STATE
THE PRESIDENT

Rocher Noir, 3 July 1962

Sir,

I have the honour, on behalf of the Algerian Provisional Executive, to acknowledge receipt of your message and to take note of the official recognition, by the French Republic, of the independence of Algeria.

In consequence, in accordance with chapter V of the Evian Declarations of 19 March 1962, the powers of sovereignty over Algerian territory have this day been transferred to the Provisional Executive.

I thank you for the sincere good wishes which you address to Algeria, and on behalf of the Provisional Executive I express in my turn, on this historic day, sincere good wishes for France and for active and fruitful co-operation between our two countries.

Accept, Sir, the assurances of my highest consideration.

A. FARES

General de Gaulle
President of the French Republic

*DECLARATIONS ADOPTED ON 19 MARCH 1962
AT THE CLOSE OF THE EVIAN TALKS*

GENERAL DECLARATION

The French people, by the referendum of 8 January 1961, recognized the right of the Algerians to choose, through a vote by direct and universal suffrage, their political destiny in relation to the French Republic.

The negotiations which took place at Evian from 7 March to 18 March 1962, between the Government of the French Republic and the F.L.N. [Algerian National Liberation Front], culminated in the following conclusions :

A cease-fire is concluded. Military operations and the armed struggle will come to an end throughout Algerian territory on 19 March 1962 at 12 noon.

The guarantees concerning the application of self-determination and the organization of the constitutional authorities in Algeria during the transitional period have been defined in mutual agreement.

Since the formation, after self-determination, of an independent and sovereign State appears to be in line with the realities of the Algerian situation and, in these circumstances, co-operation between France and Algeria corresponds to the interests of the two countries, the French Government considers, together with the F.L.N., that the independence of Algeria in co-operation with France is the solution for which this situation calls. The Government and the F.L.N. have therefore defined this solution, by mutual agreement, in Declarations which will be submitted to the electors for approval at the time of the vote on self-determination.

Chapter I

ORGANIZATION OF THE CONSTITUTIONAL AUTHORITIES DURING THE TRANSITIONAL PERIOD, AND GUARANTEES OF SELF-DETERMINATION

(a) The vote on self-determination will enable the electors to make known whether they wish that Algeria should be independent and, in that case, whether they wish that France and Algeria should co-operate under the conditions defined by the present Declarations.

(b) This vote will take place throughout Algerian territory, i.e. in the following fifteen Departments : Algiers, Batna, Bône, Constantine, Médéa, Mostaganem, Oases, Oran, Orléansville, Saïda, Saoura, Sétif, Tiaret, Tizi-Ouzou, Tlemcen.

The results of the different voting offices will be totalized and proclaimed for the entire territory.

(c) The freedom and the genuineness of the vote will be guaranteed in conformity with the regulations¹ prescribing the conditions for the vote on self-determination.

(d) Until self-determination has been realized, the constitutional authorities in Algeria will be organized in accordance with the regulations¹ accompanying the present Declaration.

A Provisional Executive and a Court of Law and Order shall be established.

The French Republic shall be represented in Algeria by a High Commissioner.

¹ Not published in the United Nations *Treaty Series* ; according to information furnished by the French Government, the Regulations prescribing the conditions for the vote on self-determination and the Regulations concerning the provisional organization of the constitutional authorities in Algeria are French internal legislative decrees (published in the *Journal officiel* of 20 March, 1962) which ceased to have effect upon the accession of Algeria to independence and the entry into force of the Declarations of Principles.

These institutions, in particular the Provisional Executive, will be installed as soon as the cease-fire enters into force.

(e) The High Commissioner will be the depositary of the powers of the Republic in Algeria, particularly in matters of defence, security and the maintenance of law and order in the last resort.

(f) The Provisional Executive will, in particular, be responsible for :

—Ensuring the management of Algeria's own public affairs. It will direct the administration of Algeria and will have the task of admitting Algerians to positions in the various branches of that administration ;

—Maintaining law and order. For this purpose, it will have police services and a security force under its authority ;

—Preparing and implementing self-determination.

(g) The Court of Law and Order will consist of an equal number of European and Moslem judges.

(h) The full exercise of individual and public freedoms will be re-established within the shortest possible time.

(i) The F.L.N. will be considered a legal political body.

(j) Persons interned, whether in France or in Algeria, will be released within a maximum period of twenty days from the date of the cease-fire.

(k) An amnesty will be proclaimed immediately. Persons held in custody will be released.

(l) Persons in refuge abroad will be able to return to Algeria. Commissions sitting in Morocco and Tunisia will facilitate such return.

Persons who have been relocated will be able to return to their regular place of residence.

The Provisional Executive will take the initial social, economic and other measures for the return of these people to a normal life.

(m) The vote on self-determination will take place within a period of not less than three months and not exceeding six months. The date of the vote will be fixed at the proposal of the Provisional Executive within the two months following its installation.

Chapter II

INDEPENDENCE AND CO-OPERATION

If the solution of independence and co-operation is adopted, the content of the present Declarations will be binding on the Algerian State.