

No. 10882

**FRANCE
and
SENEGAL**

Agreement on co-operation in the field of higher education (with annexed convention No. 1 and exchange of letters). Signed at Dakar on 16 February 1970

Authentic text : French.

Registered by France on 3 December 1970.

**FRANCE
et
SÉNÉGAL**

Accord de coopération en matière d'enseignement supérieur (avec convention annexe n° 1 et échange de lettres). Signé à Dakar le 16 février 1970

Texte authentique : français.

Enregistré par la France le 3 décembre 1970.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON CO-OPERATION IN THE FIELD OF
HIGHER EDUCATION BETWEEN THE FRENCH
REPUBLIC AND THE REPUBLIC OF SENEGAL

The Government of the Republic of Senegal and the Government of the French Republic,

Considering the special ties which freely unite the Republic of Senegal and the French Republic;

Desiring to develop the intellectual, spiritual and linguistic bonds thus established between the two countries within the community of French-speaking nations;

Considering that, if higher education in the territory of the Republic of Senegal is to remain faithful to its mission, it must be based on the realities of black Africa;

Have agreed as follows :

Article I

At the request of the Senegalese Government, the French Republic undertakes to assist the Republic of Senegal in maintaining and developing in its territory higher education of an international standard.

For the purposes of this Agreement, higher education in the territory of the Republic of Senegal includes any instruction open to holders of the *baccalauréat* or of a qualification recognized as the equivalent thereof, whether university instruction or instruction aimed especially at training senior scientific, technical, teaching and administrative personnel.

Article II

The Senegalese authorities shall determine the organization and content of the instruction provided by the University of Dakar, a Senegalese public institution, with a view to facilitating its adaptation to African realities and enabling personnel to be trained according to the needs.

Subject to supervision of the level of studies and of the qualifications of the teaching staff by the competent French authorities, diplomas and certificates awarded by the University of Dakar and its constituent or subsidiary institutions shall be recognized as the equivalent of the corresponding French diplomas or certificates in accordance with the required procedures.

¹ Came into force on 16 February 1970 by signature, in accordance with article VII.

Subject to the same conditions, diplomas awarded by the Combined Faculty of Medicine and Pharmacy of the University of Dakar may be recognized as automatically valid.

Diplomas of Bachelor of Secondary Education awarded by the University of Dakar under the same conditions as in France shall also continue to be recognized as automatically valid.

Article III

The University of Dakar shall act in conformity with its regional vocation and its disciplinary specializations.

Article IV

The volume and method of implementation of French assistance, including assistance relating to personnel, investment and operation, shall be specified in multiannual programmes determined by mutual agreement and implemented annually by a Franco-Senegalese Committee having an equal number of members from each Party.

The practical details shall be specified in Conventions annexed hereto.

Within the framework of the said programmes, the French Republic shall, in particular, assume responsibility for and effect payment of the salaries and allowances of the Rector, the teaching staff and the senior administrative personnel of the University; in the case of African personnel, it shall assume such responsibility on a temporary basis.

Article V

A Franco-Senegalese Committee having an equal number of members from each Party shall be established to keep under review the application of this Agreement. Its composition and the frequency of its meetings shall be specified in a Convention annexed hereto.

Article VI

The Contracting Parties shall specify in an exchange of letters the action to be taken to ensure, as a transitional measure, that students already studying may avail themselves of the present system governing diplomas and certificates.

Article VII

This Agreement shall, as concerns the provisions contained herein, supersede the corresponding provisions of the Agreement of 15 May 1964.¹ This Agreement and the Conventions annexed hereto shall enter into force on the date of the exchange of signatures.

¹ See p. 147 of this volume.

DONE at Dakar, on 16 February 1970.

For the Government
of the Republic of Senegal :
Dr. AMADOU KARIM GAYE

For the Government
of the French Republic :
HUBERT ARGOD

CONVENTION No. 1 ANNEXED TO THE AGREEMENT

Chapter I

ORGANIZATIONAL PROVISIONS

Article 1

The Rector of the University of Dakar shall be designated by mutual agreement between the Contracting Parties. He shall be appointed by Decree of the President of the Republic of Senegal.

He shall simultaneously exercise the functions of Director of Higher Education of the Republic of Senegal.

Article 2

The management and administration of the University of Dakar and of its constituent or subsidiary institutions shall be carried out, subject to the authority of the Rector, in accordance with such provisions as shall, on the initiative of the Government of Senegal, be drawn up by agreement between the Parties.

The regulations concerning the statutes and organization of the University and of its constituent or subsidiary institutions shall be laid down, on initiative of the Government of Senegal, by agreement between the Parties.

In the absence of such regulations, the management of the University shall be carried out in accordance with the regulations which govern it on the date of entry into force of this Convention, in so far as their provisions are compatible with the present organization of the duly constituted authorities.

Article 3

Notwithstanding the provisions of article 1 of the Agreement on co-operation, the Ecole nationale d'administration du Sénégal shall not be deemed to be a constituent or subsidiary institution of the University.

Chapter II

THE FRANCO-SENEGALESE COMMITTEE

Article 4

The Committee provided for in article 5 of the Agreement on co-operation shall comprise six representatives, three of whom shall be appointed by each Contracting

Party. It shall be presided over alternately by a member of the French delegation and by a member of the Senegalese delegation.

The Committee shall meet at least twice a year, alternately in Dakar and in Paris.

The Committee's proposals shall be transmitted to the two Governments.

Chapter III

FINANCIAL PROVISIONS

Article 5

The Franco-Senegalese Committee shall be informed of the development plan for higher education in the Republic of Senegal and shall advise on priorities.

Article 6

The Committee shall annually propose the amount of the programming and payment authorizations for development of the University of Dakar and its constituent or subsidiary institutions and their operational budgets, within the framework of the agreements concluded for the purpose.

The Contracting Parties shall determine the amounts involved by mutual agreement.

Article 7

The assets of the University of Dakar shall comprise the immovable property referred to in article 10 of the Agreement of 5 August 1961¹ and the immovable property devolving to or acquired by the University since the said date and in the future, together with such property devolving to and acquired by its constituent or subsidiary institutions.

The immovable property referred to in the preceding paragraph shall be registered in the name of the University. Movable property as referred to in article 10 of the Agreement of 5 August 1961 devolving to or acquired by the University, and such property devolving to and acquired by its constituent or subsidiary institutions after that date in the future, shall be automatically vested in the University.

Article 8

The Government of the Republic of Senegal undertakes to exempt :

- (a) From all import taxes and customs and excise charges any movable property, supplies and services needed for the equipping, development and operation of the University of Dakar and of its constituent or subsidiary institutions which are provided or financed by the French Republic;
- (b) From all transfer duties, stamp duties and registration fees any legal instruments which may be required for the purpose of the application of the present Agreement.

¹ See p. 137 of this volume.

Chapter IV

PERSONNEL

Article 9

Members of the teaching staff of the University of Dakar shall be appointed by the Government of the Republic of Senegal to fill vacancies at the University of Dakar or its constituent or subsidiary institutions, with the agreement of the competent French authorities.

In the case of instruction leading to diplomas which are automatically valid or the equivalence of which is recognized in the territory of the French Republic, the qualifications of members of the staff shall be evaluated under the same conditions as those of the corresponding French members of the staff.

Article 10

Members of the teaching staff who possess French nationality may be reassigned to the French Government at the request of the Senegalese Government, after consultation with the French Government and with the *Conseil restreint* of the University.

The French Government may terminate their assignment after consultation with the Senegalese Government. Save in exceptional cases, such reassignments shall take effect at the end of the current academic year.

In disciplinary matters, other members of the teaching staff shall be subject to the jurisdiction of the *Conseil restreint* of the University of Dakar. Appeals may be made to the Supreme Court of Senegal by the party concerned or by the Minister responsible for education in the Republic of Senegal.

The provisions of the preceding paragraph shall not apply to the teaching and hospital staff of the Dakar University Hospital Centre, who are governed by special regulations.

DONE at Dakar, on 16 February 1970.

For the Government
of the Republic of Senegal:
Dr. AMADOU KARIM GAYE

For the Government
of the French Republic:
HUBERT ARGOD

EXCHANGE OF LETTERS

I

The Minister for Foreign Affairs to the Ambassador of France at Dakar

MINISTRY OF FOREIGN AFFAIRS

No. 145/CAB

Dakar, 16 February 1970

Sir,

Article VI of the Franco-Senegalese Agreement on Co-operation in the Field of Higher Education of 16 February 1970 provides that action shall be taken to ensure, as a transitional measure, that students already studying may

avail themselves of the present system governing examinations and certificates. I have the honour to request you to agree that such action should be as follows :

1. Faculty of Law and Economics :

- (a) The system of automatic validity shall be retained for the *Licence en droit* and the *Licence ès sciences économiques* until the academic year 1971/72;
- (b) The said system shall be retained for the *Doctorat en droit* and the *Doctorat ès sciences économiques* until the year 1971/72.

2. Faculty of Science :

- (a) The system of automatic validity shall be retained for the *licences* in Mathematics, Physics and Natural Sciences until the academic year 1970/71;
- (b) The said system shall be retained for the three corresponding *maîtrises d'enseignement* until the academic year 1971/72.

3. Faculty of Arts and Humanities :

- (a) The system of automatic validity shall be retained for the *licences* in Modern Literature, Classical Literature, Arabic, English, Spanish, History, Geography and Philosophy during the academic year 1969/70;
- (b) The said system shall be retained for the *maîtrises* in Modern Literature, Arabic, English, History and Geography until the academic year 1970/71;
- (c) The said system shall also be retained for the *Doctorat de troisième cycle* until the academic year 1971/72 in the case of candidates enrolled up to and including the academic year 1969/70.

Accept, Sir, etc.

Dr. AMADOU KARIM GAYE

II

FRENCH EMBASSY
DAKAR

Dakar, 16 February 1970

Sir,

By letter of today's date, you informed me as follows :

[See letter I]

I have the honour to inform you that the French Government agrees to the provisions reproduced above.

Accept, Sir, etc.

HUBERT ARGOD

His Excellency Dr. Amadou Karim Gaye
Minister for Foreign Affairs of the
Republic of Senegal
Dakar