

**No. 11545**

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**FRANCE  
and  
DAHOMEY**

**Agreement on co-operation in the field of higher education.  
Signed at Paris on 24 April 1961**

**Additional Protocol to the above-mentioned Agreement  
(with annexes). Signed at Paris on 7 September 1970**

*Authentic texts: French.*

*Registered by France on 2 February 1972.*

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**FRANCE  
et  
DAHOMEY**

**Accord de coopération en matière d'enseignement supérieur.  
Signé à Paris le 24 avril 1961**

**Protocole additionnel à l'Accord susmentionné (avec  
annexes). Signé à Paris le 7 septembre 1970**

*Textes authentiques: français.*

*Enregistrés par la France le 2 février 1972.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON CO-OPERATION IN THE FIELD OF  
HIGHER EDUCATION BETWEEN THE FRENCH  
REPUBLIC AND THE REPUBLIC OF DAHOMEY

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

Considering the special ties which freely unite the Republic of Dahomey and the French Republic in an intellectual and spiritual solidarity among French-speaking nations,

Considering that the official language of both the Republic of Dahomey and the French Republic is French,

Have agreed as follows:

TITLE I

HIGHER EDUCATION

*Article 1*

The French Republic undertakes to assist the Republic of Dahomey in establishing and developing in its territory higher education of a standard equal to that of French higher education.

For the purposes of this Agreement, higher education includes instruction given in university institutions and in institutions which provide training and advanced training for senior scientific, teaching, technical and administrative personnel of the Republic of Dahomey.

*Article 2*

For this purpose, the Republic of Dahomey shall establish a National Board of Higher Education which, in the light of the priorities established by the Government of the Republic of Dahomey and the funds and resources to be allocated for the purpose, shall draw up a development plan for higher education in Dahomey and shall submit to the Contracting Parties proposals to ensure its implementation.

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<sup>1</sup> Came into force on 6 October 1961, the date of entry into force of the Treaty on co-operation of 24 April 1961 (see p. 83 of this volume), in accordance with article 18.

*Article 3*

The Board of Higher Education of Dahomey, under the chairmanship of the Minister of Education, shall comprise:

- The directors of institutions of higher education having juridical personality;
- One member of the teaching staff for each of the said institutions, elected by his colleagues for three years;
- The members of the Governing Council of the Porto Novo Centre of Higher Education provided for in article 11 below.

*Article 4*

The French members of the teaching staff in institutions of higher education in Dahomey shall be designated by mutual agreement between the Contracting Parties, and shall be appointed by the Government of the Republic of Dahomey.

The French Government shall assume sole responsibility for, and shall effect direct payment of, the salaries and allowances of the said members of the staff.

*Article 5*

Diplomas and certificates awarded by institutions of higher education in Dahomey other than those referred to in title II of this Agreement may be recognized by the French Republic in its territory as the equivalent of French diplomas, after consultation with the Mixed Commission provided for in article 16 below, which shall report to the competent university authorities.

*Article 6*

The Government of the French Republic shall also endeavour, in particular through the granting of scholarships and research fellowships, the organization of training courses and special seminars and the simplification of admission procedures, to provide training for nationals of the Republic of Dahomey at institutions of higher education and research in the French Republic if such training cannot be provided in the territory of the Republic of Dahomey.

## TITLE II

## UNIVERSITY INSTITUTIONS

*Article 7*

University-level higher education shall be provided in the territory of the Republic of Dahomey by the Porto Novo Centre for Higher Education provided for in article 8 and by its constituent or subsidiary institutions.

*Article 8*

The French Republic undertakes to assist the Republic of Dahomey in establishing the Porto Novo Centre for Higher Education.

The Centre shall be established at a date to be determined by agreement between the Contracting Parties according to the needs.

Any new institutions shall be established under the same conditions.

*Article 9*

The Porto Novo Centre for Higher Education shall be a public institution of the Republic of Dahomey. It shall be subject to the authority of the Ministry of Education of the Republic of Dahomey and shall be administered by a Governing Council whose decisions shall be implemented by the Director of the Centre.

*Article 10*

The Director of the Centre shall be designated by agreement between the Government of the French Republic and the Government of the Republic of Dahomey. He shall be appointed by decree of the President of the Republic of Dahomey. He shall also exercise the functions of Director of Higher Education of Dahomey.

*Article 11*

The Governing Council of the Centre for Higher Education of Dahomey shall draw up the development plan for the Centre and its constituent or subsidiary institutions, and prepare its budget estimates within the limits of the funds and resources available. It shall lay down general criteria for curricula and shall give its opinion on all questions submitted to it by its President.

It shall be constituted as follows:

- The Minister of Education of the Republic of Dahomey, President;
- The Director of the Porto Novo Centre for Higher Education, Director of Higher Education of Dahomey, Vice-President;
- The directors of the constituent or subsidiary schools and institutions of the Centre for Higher Education;
- The Director of Secondary Education and the Director of Technical Education of Dahomey;
- One member of the teaching staff for every school or institution, elected by his colleagues for three years;
- Two persons of distinction designated by the Government of the Republic of Dahomey for a three-year term on the basis of their expertise.

Decisions of the Governing Council shall be made by a two-thirds majority of its members.

Students shall be represented in the Governing Council in the cases and in accordance with the procedures provided for by French university regulations.

#### *Article 12*

Subject to such necessary adaptations as shall subsequently be determined by mutual agreement on the initiative of either Contracting Party, there shall be incorporated into the law of the Republic of Dahomey the French laws and regulations relating to higher education which are in force on the date of publication of this Agreement, particularly with regard to the status of university personnel, and the regulations governing curricula, attendance requirements and examinations.

#### *Article 13*

Degrees and diplomas awarded by the Porto Novo Centre for Higher Education under the same conditions with regard to curricula, attendance requirements and examinations as the corresponding French degrees and diplomas shall be automatically valid in the territory of the French Republic and shall — subject to any provisions to the contrary relating to the establishment of nationals of the Republic of Dahomey in the territory of the French Republic — have in the said territory all such effects as attach to the latter under French laws and regulations.

French degrees and diplomas in higher education shall be automatically valid in the territory of Dahomey and shall — subject to any provisions to the contrary relating to the establishment of nationals of the French Republic in the territory of the Republic of Dahomey — have in the said territory the same effects as attach to the corresponding degrees and diplomas of the Republic of Dahomey.

In order to maintain effective equality of diplomas, any amendments which may be made in the territory of the French Republic to the regulations concerning curricula, attendance requirements and examinations shall be incorporated into the law of the Republic of Dahomey, subject to such adaptations as are recognized to be necessary by agreement between the two Governments on the initiative of either Government.

Special instruction corresponding to the particular needs of the Republic of Dahomey may be organized by the competent university authorities of the Republic of Dahomey. The diplomas awarded for such instruction may be recognized by the French Republic in its territory as the equivalent of the corresponding French diplomas under the conditions specified in article 5 above.

*Article 14*

The teaching staff of the Porto Novo Centre for Higher Education shall be selected, in accordance with the procedures and methods provided for by the regulations in force in French universities, from among the candidates fulfilling the requirements laid down in the said regulations. Members of the staff shall be designated by agreement between the Government of the French Republic and the Government of the Republic of Dahomey. They shall be appointed by the Government of the Republic of Dahomey to fill vacancies at the Porto Novo Centre for Higher Education. Members of the teaching staff who possess French nationality and are employed under a permanent contract shall simultaneously be appointed by the Government of the French Republic to corresponding positions at French institutions of higher education.

Members of the teaching staff of the Porto Novo Centre for Higher Education shall be entitled to participate, as voters or candidates, in elections to the French Universities Advisory Committee under the same conditions as members of the teaching staff of French universities.

The French Republic undertakes to facilitate, by all means in its power, the training of candidates who are nationals of Dahomey with a view to facilitating their access to positions in higher education.

If the French Republic and the Republic of Dahomey are unable to fill vacancies at the Porto Novo Centre for Higher Education, teaching staff who are not nationals of either Contracting Party may be called upon to fill those posts.

Such staff shall be attached to the Porto Novo Centre for Higher Education and shall be so appointed by decree of the President of the Republic of Dahomey on the nomination of the Governing Council of the Centre for Higher Education.

At least one expert member of the French Universities Advisory Committee shall participate in the deliberations of the Governing Council of the Centre, meeting at Porto Novo, which shall be conducted on the basis of his report.

*Article 15*

The Contracting Parties shall annually determine the amount of programming and payment appropriations for development of the Centre for Higher Education and its operational budget.

The French Republic shall contribute to investment costs and operating costs.

It shall assume sole responsibility for, and shall effect direct payment of, the salaries and allowances of the teaching staff.

French members of the teaching staff shall be subject to the statutory provisions governing staff members in the same categories in France, and to the financial provisions applicable to French personnel serving in the territory of Dahomey.

TITLE III  
MISCELLANEOUS PROVISIONS

*Article 16*

A Mixed Commission shall be established to keep under review the application of this Agreement. It shall comprise six representatives, three of whom shall be appointed by each Contracting Party. The Chairman shall be designated for one year from among the members of the Commission alternately by the Government of the French Republic and by the Government of the Republic of Dahomey. The Commission shall meet at least twice a year.

*Article 17*

The Commission shall examine the development plan and the budget estimates prepared by the Governing Council of the Porto Novo Centre for Higher Education, and shall determine priorities. The Commission's proposals shall be transmitted to the two Governments.

The Commission shall prepare an annual report on the manner in which the clauses of article 13 are being implemented. The said report shall be transmitted to the Board of Higher Education of Dahomey, and to the Board of Higher Education of the French Republic.

The Commission shall give its opinion, as provided for in article 5 above, regarding the conditions in which diplomas and certificates awarded by institutions of higher education in Dahomey may be recognized as the equivalent of French diplomas in the territory of the French Republic.

*Article 18*

This Agreement shall enter into force at the same time as the Treaty on co-operation signed on this date. <sup>1</sup>

DONE at Paris, on 24 April 1961.

For the Government  
of the French Republic:

[Signed]

MICHEL DEBRÉ

For the Government  
of the Republic of Dahomey:

[Signed]

HUBERT MAGA

<sup>1</sup> See p. 83 of this volume.

ADDITIONAL PROTOCOL<sup>1</sup> TO THE AGREEMENT ON  
CO-OPERATION IN THE FIELD OF EDUCATION<sup>2</sup>  
BETWEEN THE FRENCH REPUBLIC AND THE REPUBLIC  
OF DAHOMEY

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

Considering the special ties which freely unite the French Republic and the Republic of Dahomey and which were the subject of the Franco-Dahomean Agreement on co-operation of 24 April 1961;<sup>3</sup>

Desiring to further develop the intellectual, spiritual and linguistic bonds between the two peoples;

Recognizing that the training of senior personnel, in conjunction with research activities, constitutes an objective which is absolutely essential for the development of the individual and a flourishing national culture;

Confirming the conclusions of the Technical Commission which met on 26 and 27 of June 1970 at Porto Novo;

Have resolved to extend the scope of the aforementioned Agreement by agreeing on the following provisions:

*Article 1*

The Republic of Dahomey shall, with the assistance of the French Republic, endeavour to establish and develop in its territory higher education of an international standard.

The said higher education shall include instruction given in university institutions and in institutions which provide training and advanced training for senior scientific, teaching, technical and administrative personnel of the Republic of Dahomey. It shall be open to holders of the *baccalauréat* or of a diploma recognized as the equivalent thereof.

*Article 2*

The composition and powers of the Board of Higher Education provided for in article 2 of the aforementioned 1961 Agreement shall be defined by decree of the Dahomean Government.

<sup>1</sup> Came into force on 7 September 1970 by signature, in accordance with article 11.

<sup>2</sup> See p. 107 of this volume.

<sup>3</sup> See p. 83 of this volume.



*Article 3*

The Dahomean authorities shall determine the organization and content of the instruction provided by the various institutions of higher education in the Republic of Dahomey.

*Article 4*

French assistance shall be specified in multiannual programmes determined by mutual agreement and implemented annually by the Franco-Dahomean Mixed Commission provided for in article 9.

*Article 5*

As a transitional measure and until the regulations applicable to personnel engaged in higher education are published, the French Government shall continue to assume responsibility for the personnel appointed to posts established by mutual agreement under the aforementioned programmes.

*Article 6*

(a) Degrees, diplomas and certificates awarded by institutions of higher education in the Republic of Dahomey may be recognized by the French Republic in its territory as the equivalent of the corresponding French diplomas, in accordance with the laws and regulations of the French Republic;

(b) Degrees, diplomas and certificates awarded by institutions of higher education in the French Republic may be recognized by the Republic of Dahomey in its territory as the equivalent of the corresponding diplomas awarded by the University of Dahomey, in accordance with the laws and regulations in force in the Republic of Dahomey;

(c) In specific instances certain diplomas may, at the request of the Dahomean authorities, be recognized as automatically valid provided that they meet the standards relating to qualifications and procedures laid down in French legislation.

*Article 7*

The French Government undertakes to assist in installing and equipping the Dahomean university complex by contributing, *inter alia*, to investment and operating costs.

*Article 8*

The Contracting Parties shall annually determine the amount of the programming and payment appropriations for development of the Univer-

sity of Dahomey and its constituent and subsidiary institutions and their operational budgets.

The procedures for the foregoing shall be established in conventions annexed to this Protocol.

*Article 9*

A Franco-Dahomean Mixed Commission shall be established to keep under review the application of this Agreement. Its composition and functions and the periodicity of its meetings shall be specified in a convention annexed to this Protocol.

*Article 10*

The procedures for designating the Rector shall be established in the statutes of the University of Dahomey.

*Article 11*

The provisions of this additional Protocol shall supplement and amplify those of the Agreement of 24 April 1961.

The provisions and their annexes shall enter into force on the date of the exchange of signatures.

DONE in Paris on 7 September 1970 in duplicate.

For the Government  
of the French Republic:

YVON BOURGES

For the Government  
of the Republic of Dahomey:

EDMOND A. DOSSOU-YOVO

CONVENTIONS ANNEXED TO THE PROTOCOL

*To Article 8*

The procedures for the academic year 1970-1971 are described in the records of the Franco-Dahomean Working Commission held on 26 and 27 June 1970 at Cotonou and Porto Novo.

*To Article 9*

The Franco-Dahomean Mixed Commission provided for in article 9 shall comprise six representatives, three of whom shall be appointed by each Contracting Party.

The Chairman shall be designated from among the members of the Commission alternately by the Government of the French Republic and the Government of

the Republic of Dahomey. The Commission may co-opt experts on a consultative basis. It shall meet at least twice a year.

DONE at Paris on 7 September 1970 in duplicate.

For the Government  
of the French Republic:

YVON BOURGES

For the Government  
of the Republic of Dahomey:

EDMOND A. DOSSOU-YOVO