

No. 20337

FEDERAL REPUBLIC OF GERMANY
and
FRANCE

Agreement on exemption from certain prior educational requirements for admission to university courses in the humanities and natural sciences in the partner country (with exchange of letters). Signed at Bonn on 10 July 1980

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 7 August 1981.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
FRANCE

Accord sur les dispenses de scolarité, d'examens et de diplômes pour l'admission aux études universitaires dans le pays partenaire en sciences, lettres et sciences humaines (avec échange de lettres). Signé à Bonn le 10 juillet 1980

Textes authentiques: allemand et français.

Enregistré par la République fédérale d'Allemagne le 7 août 1981.

EXCHANGE OF LETTERS—ÉCHANGE DE LETTRES

I

[GERMAN TEXT—TEXTE ALLEMAND]

Bonn, den 10. Juli 1980

DER BUNDESMINISTER DES AUSWÄRTIGEN

Herr Minister!

Anlässlich der Unterzeichnung der Vereinbarung zwischen der Regierung der Bundesrepublik Deutschland und der Regierung der Französischen Republik über die Befreiung von Studienzeiten, -leistungen und Prüfungen zum Studium im Partnerland in den Geistes- und Naturwissenschaften habe ich die Ehre, Ihnen folgendes mitzuteilen:

1. Die Verbindlichkeit der heute getroffenen Vereinbarung wird aufgrund der Zuständigkeitsverteilung zwischen dem Bund, den Ländern und den Hochschulen wie folgt interpretiert:

- a) Soweit für Entscheidungen aufgrund dieser Vereinbarung staatliche Stellen der Länder zuständig sind, gilt diese Vereinbarung unmittelbar.
- b) Soweit die Hochschulen für die Entscheidung zuständig sind, gilt aufgrund der Zustimmung der Westdeutschen Rektorenkonferenz und der Ständigen Konferenz der Kultusminister diese Vereinbarung als Empfehlung. Sie gilt unmittelbar, falls in die jeweilige Prüfungsordnung die Bestimmung des §6 Absatz 2 Satz 3 der allgemeinen Bestimmungen für Diplom-Prüfungsordnungen („Für die Gleichwertigkeit von Studienzeiten und Studienleistungen an ausländischen Hochschulen sind die von der Ständigen Konferenz der Kultusminister und der Westdeutschen Rektorenkonferenz gebilligten Äquivalenzvereinbarungen maßgebend“) übernommen worden ist.
- c) Die Länder werden sich bemühen, die Übernahme der Bestimmung des §6 Absatz 2 Satz 3 der allgemeinen Bestimmungen für Diplom-Prüfungsordnungen in die Prüfungsordnungen der Hochschulen zu veranlassen.

2. Während auf französischer Seite die Bestimmung des Geltungsberichts dieser Vereinbarung nach den großen Disziplinen „*Sciences*“ und „*Lettres*“ aufgrund des Bezugs zu den jeweiligen Sektionen des Conseil Supérieur des Corps Universitaires eindeutig ist, gilt dies für die Begriffe Geistes- und Naturwissenschaften auf deutscher Seite nicht gleichermaßen. Deshalb wird zur Klarstellung darauf hingewiesen, daß diese Vereinbarung weder für die medizinischen und pharmazeutischen noch für die wirtschafts- und rechtswissenschaftlichen Disziplinen gilt.

[TRANSLATION—TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE FRENCH REPUBLIC ON EXEMPTION FROM CERTAIN PRIOR EDUCATIONAL REQUIREMENTS FOR ADMISSION TO UNIVERSITY COURSES IN THE HUMANITIES AND NATURAL SCIENCES IN THE PARTNER COUNTRY

The Government of the Federal Republic of Germany and the Government of the French Republic,²

Pursuant to the Treaty of 22 January 1963 on Franco-German cooperation, and with special reference to article II, C, 1 (b) thereof,

For the purposes of promoting the special relations between the partner countries,

With a view to enabling students to further their studies in the partner country without losing time,

For the purpose of enabling students who qualify for a course in one of the countries to pursue their studies at the same level in either country (specifically, 1st cycle=*Grundstudium*, 2nd cycle=*Hauptstudium*, and 3rd cycle=*Promotion*),

Have agreed as follows:

Article 1. This Agreement shall grant exemptions from certain prior educational requirements solely for the purpose of pursuing studies at the respective following level of higher education. Accordingly, this Agreement shall not confer the diplomas or degrees to which such exemption applies, nor produce the *effectus civilis* deriving therefrom. Lastly, this Agreement shall also not affect any further conditions relating to admission such as limitations on intake capacity or knowledge of the language concerned.

Article 2. The following exemptions from prior educational requirements shall be granted on a basis of reciprocity in respect of the disciplines concerned:

1. The French *baccalauréat* and the German *Hochschulreife* shall be recognized as equivalent for the purpose of admission to higher education in France or, as the case may be, in the *Länder* of the Federal Republic of Germany.

2. Applicants having successfully completed two semesters of higher education in the Federal Republic of Germany or one academic year in a university in France shall, on request, be given credit for one year of study.

¹ Came into force on 10 July 1980 by signature, in accordance with article 7.

² United Nations, *Treaty Series*, vol. 821, p. 323.

3. Applicants holding a *Diplôme d'études universitaires générales (DEUG)* or any degree recognized as equivalent in France, or the *Zwischenprüfung, Diplomvorprüfung* or any other degree recognized as equivalent in the *Land* concerned of the Federal Republic of Germany, shall, on request, be admitted to the *Hauptstudium* (5th semester) or to the "2nd cycle" (3rd academic year), respectively. The courses open to such applicants shall be determined by the competent authority.

4. Applicants holding a *licence*, on the one hand, or having completed six academic semesters, including the *Zwischenprüfung* or any equivalent thereof, supplemented by two *Hauptseminarscheine* or any qualification recognized as equivalent in the *Land* concerned of the Federal Republic of Germany, on the other hand, shall, on request, be admitted to the 7th semester or to the 2nd year of the 2nd cycle (4th academic year at university), respectively. The courses open to such applicants shall be determined by the competent authority.

5. Applicants holding a *maîtrise*, on the one hand, or a *Magister* from the first *Staatsexamen* or from the *Diplomhauptprüfung*, on the other hand, shall be allowed to pursue their studies with a view to obtaining a *promotion* or a *doctorat de 3^e cycle*, subject to the regulations in force. The choice of specializations open to such applicants shall be determined by the competent authority. Pursuant to article 8 of the Order of 16 April 1974, concerning the *doctorat de 3^e cycle*, applicant may be eligible for exemption from the *diplôme d'études approfondies (DEA)*.

6. Certain applicants may, subject to their academic record, qualify for matriculation with a view to preparing a *thèse d'Etat* or a *Habilitation*.

Article 3. This general Agreement shall be without prejudice to such agreements as may be concluded between the universities of the two countries, in accordance with their respective national regulations, to provide for greater student mobility.

Article 4. With regard to admission to the *Staatsprüfung* (State examination), the exemptions provided for under this Agreement shall be subject to the regulations governing such examination.

Article 5. Students applying for courses in France under this Agreement shall be exempt from the matriculation application procedure established by article 3 of Decree No. 79-1214 of 31 December 1979.

Article 6. This Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the French Republic within three months from the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force on the date of its signature.

DONE at Bonn, on 10 July 1980, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:
HANS-DIETRICH GENSCHER

For the Government of the French Republic:
JEAN FRANÇOIS-PONCET

EXCHANGE OF LETTERS

I

Bonn, 10 July 1980

FEDERAL MINISTER FOR FOREIGN AFFAIRS

Sir,

On the occasion of the signing of the Agreement between the Government of the Federal Republic of Germany and the Government of the French Republic on exemption from certain prior educational requirements for admission to university courses in the humanities and natural sciences in the partner country, I have the honour to inform you as follows:

1. On the basis of the allocation of competence between the Federation, the *Länder* and establishments of higher education the Agreement (signed today) shall apply as follows:

- (a) This Agreement shall apply directly in cases where official agencies of the *Länder* are competent to take decisions in respect of the Agreement;
- (b) Where establishments of higher education are competent to take the decision and pursuant to the decision of the Conference of West German Rectors and the Standing Conference of Ministers of Education and Culture, this Agreement shall constitute a recommendation. It shall apply directly in cases where paragraph 6, subparagraph 2, third sentence, of the general provisions governing diploma examination regulations ("The agreements on equivalence approved by the Standing Conference of West German Rectors shall apply in respect of equivalence of study periods and examinations in foreign higher-education establishments") has been incorporated into the relevant examination regulations;
- (c) The *Länder* shall seek to ensure that the provision in paragraph 6, subparagraph 2, third sentence, of the general provisions governing diploma examination regulations is incorporated in the examination regulations of higher-education establishments.

2. Whereas, on the French side, the applicability of this Agreement is determined specifically in terms of the major disciplines, “*Sciences*” and “*Lettres*”, by reference to the respective sections of the Conseil supérieur des Corps universitaires, this is not the case as regards the terms “*Geistes-und Naturwissenschaften*” on the German side. In the interest of clarity, attention is therefore drawn to the fact that this Agreement shall apply neither to the disciplines of medicine and pharmaceuticals nor to the disciplines of economics and law.

I should be grateful if you would confirm that your Government agrees to the above terms.

Accept, Sir, etc.

HANS-DIETRICH GENSCHER
Federal Minister for Foreign Affairs

His Excellency the Minister for Foreign Affairs
of the French Republic
Mr. Jean François-Poncet

II

Bonn, 10 July 1980

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 inform you that my Government agrees to the above terms.

Accept, Sir, etc.

[JEAN FRANÇOIS-PONCET]

His Excellency Mr. Hans-Dietrich Genscher
Federal Minister for Foreign Affairs
of the Federal Republic of Germany
