

**No. 22520**

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**NETHERLANDS  
and  
FEDERAL REPUBLIC OF GERMANY**

**Agreement concerning acceptance of equivalencies in higher  
education (with exchange of letters). Signed at Bonn on  
23 March 1983**

*Authentic texts: Dutch and German.*

*Registered by the Netherlands on 17 December 1983.*

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**PAYS-BAS  
et  
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord relatif à la reconnaissance des diplômes d'enseigne-  
ment supérieur (avec échange de lettres). Signé à Bonn  
le 23 mars 1983**

*Textes authentiques : néerlandais et allemand.*

*Enregistré par les Pays-Bas le 17 décembre 1983.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING ACCEPTANCE OF EQUIVALENCIES IN HIGHER EDUCATION

The Government of the Kingdom of the Netherlands and the Government of the Federal Republic of Germany,

In the spirit of the friendly relations between the two countries,

On the basis of the Cultural Agreement of 27 April 1961,<sup>2</sup> particularly articles 1, 3, 8 and 15 thereof,

Desiring to enable students of the two States more easily to undertake or continue studies in the Contracting States,

Have agreed as follows with regard to the acceptance of study periods and study qualifications for the purpose of further study in establishments of higher education and to the accreditation of academic degrees:

*Article 1.* In this Agreement:

a. The term “establishments of higher education” means all universities, colleges and other institutions of higher education which are recognized by law in the *Länder* of the Federal Republic of Germany and in the Kingdom of the Netherlands to be of the higher education level and are authorized to award the degree of doctor, or in which the courses of study may culminate in an academic degree or State examination;

b. The term “academic degree” means any diploma or other higher education degree which is awarded by an establishment of higher education as the culmination of a course of study;

c. The term “State examination” means the intermediate or final State examination in a course of study at an establishment of higher education.

*Article 2.* (1) Relevant studies in the Federal Republic of Germany shall, on request, be credited towards study in the Kingdom of the Netherlands and the examinations, including intermediate examinations, shall be accepted to the extent that they were credited and/or accepted in the Federal Republic of Germany.

(2) Relevant studies in the Kingdom of the Netherlands shall, on request, be credited towards study in the Federal Republic of Germany and the examinations, including intermediate examinations, shall be accepted to the extent that they were credited and/or accepted in the Kingdom of the Netherlands.

*Article 3.* Academic degrees and “State examination” certificates shall entitle holders thereof who wish to continue their studies or undertake further studies in establishments of higher education in the other State to pursue these studies without additional or supplementary examinations, provided and to the extent that the holder of the academic degree or “State examination” certificate is entitled, in the State in which such degree or certificate was awarded, to continue his studies or undertake further studies without additional or supplementary examinations.

<sup>1</sup> Came into force on 23 March 1983 by signature, in accordance with article 9.

<sup>2</sup> United Nations, *Treaty Series*, vol. 487, p. 77.

*Article 4.* (1) The holder of a doctor's degree, or of an academic degree directly entitling him to study for a doctorate, shall be accredited with this degree in the same way as he may be accredited therewith under the law of the State in which it was awarded.

(2) The holder of another academic degree shall be accredited therewith in the same way as he may be accredited therewith under the law of the State in which it was awarded and the degree shall specify the awarding establishment of higher education.

*Article 5.* For admission to "State examinations" the accreditations and acceptances provided for in this Agreement shall apply in respect of the relevant examination regulations.

*Article 6.* (1) For the purpose of advising on all questions arising out of this Agreement, a Permanent Commission of Experts shall be established consisting of six members, three of whom shall be appointed by each State. Each State shall notify the other of its list of appointees through the diplomatic channel.

(2) The Permanent Commission of Experts shall meet at the request of either State. On each such occasion the meeting place shall be determined by mutual agreement.

*Article 7.* This Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

*Article 8.* This Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany has not delivered a declaration to the contrary to the Government of the Kingdom of the Netherlands within three months from the date of entry into force of this Agreement.

*Article 9.* This Agreement shall enter into force on the date of its signature.

DONE at Bonn, on 23 March 1983, in two originals, in the Dutch and German languages, both texts being equally authentic.

For the Government  
of the Kingdom of the Netherlands:

K. W. REININK

For the Government  
of the Federal Republic of Germany:

LAUTENSCHLAGER

## EXCHANGE OF LETTERS

### I

#### EMBASSY OF THE KINGDOM OF THE NETHERLANDS

Bonn, 23 March 1983

No. 2298

Sir,

On the occasion of the signing today of the Agreement between the Government of the Kingdom of the Netherlands and the Government of the Federal Republic of Germany concerning acceptance of equivalencies in higher education (hereinafter referred to as the Agreement), I have the honour to confirm that the following was also agreed upon in the negotiations:

1. The Agreement shall enable students in the disciplines covered therein to be accorded the accreditations and acceptances specified therein for the purpose of continuing their studies or undertaking further studies (including, as appropriate, admission to the doctorate course).

2. The purpose of the Agreement shall be to prescribe in the examination regulations of the Contracting States the preparatory educational requirements for admission to study courses. The Agreement shall therefore exempt students from the obligation to provide evidence of their compliance with the said preparatory educational requirements only for the purpose of continuing their studies or undertaking further studies, as the case may be. Such exemption shall not extend to the awarding of diplomas, degrees or certificates.

3. The Agreement shall not cover the *effectus civilis*. After the treaty is concluded, the Contracting States shall consider to what extent questions concerning the *effectus civilis* may be settled by mutual agreement.

4. In cases where studies culminate in a State examination, in accordance with article 5 of the Agreement study periods shall be taken into account and examinations recognized only on the basis of the internal examination regulations in force at that time.

5. The general entry requirements and entry restrictions in force for admission to study courses and parts thereof in the Contracting States shall not be affected by the Agreement.

6. The applicability of the Agreement to the Federal Republic of Germany shall be interpreted on the basis of the distribution of jurisdiction between the Federation, the *Länder* and the establishments of higher education as follows:

- (a) Where official authorities of the *Länder* have jurisdiction to decide in matters arising from the Agreement, the Agreement shall apply directly;
- (b) Where the establishments of higher education have jurisdiction to decide, the provisions of the Agreement shall be deemed to constitute a recommendation for these establishments. The Agreement shall apply directly if the present provisions in section 6, paragraph 2, subparagraph 3, of the General Instructions for Diploma Examination Regulations are replaced by the words "The equivalencies approved by the Permanent Conference of Ministers of Culture and the West German Conference of Rectors shall be applicable in respect of study periods and studies completed in foreign establishments of higher learning".

7. The applicability of the Agreement to the Kingdom of the Netherlands shall be interpreted as follows:

- (a) Where official authorities have jurisdiction to decide in matters arising from the Agreement, the Agreement shall apply directly;
- (b) Where the establishments of higher education have jurisdiction, the Agreement shall be deemed to constitute a recommendation for these establishments.

8. With regard to article 4 of the Agreement, the Kingdom of the Netherlands declares it to be its interpretation of paragraph 2 that the holder of a foreign academic degree in the Kingdom of the Netherlands shall not be obliged to specify in the degree the establishment of higher education concerned.

The Federal Republic of Germany declares that paragraph 1 cannot apply in Schleswig-Holstein, where the law provides that a foreign degree must be used in its original form only and must specify the establishment of higher learning concerned.

9. In the Netherlands the following shall be deemed to be establishments of higher education within the meaning of article 1 of the Agreement:

- (a) The universities and establishments of higher education specified in article 15 of the Scientific Education Act (*Staatsblad* 1975, 729), namely:
  - The national universities in Leiden, Groningen, Utrecht and Rotterdam;
  - The national technical colleges in Delft, Eindhoven and Enschede;
  - The national agricultural college in Wageningen;

- The Municipal University in Amsterdam;
- The special universities in Amsterdam and Nijmegen;
- The special college for social sciences and humanities in Tilburg;
- (b) The national university of Limburg established by the Limburg National University Act (*Staatsblad*, 1975, 717);
- (c) The inter-university institutes established between the universities and colleges referred to in subparagraphs (a) and (b);
- (d) The special universities and colleges designated by article 118 of the Scientific Education Act in so far as it covers the doctorates and certificates of successfully passed examinations specified therein. At the time the Agreement was concluded, this shall apply to the following colleges:
  - The Catholic theological colleges in Tilburg, Amsterdam and Heerlen, in respect of the doctorate and the certificate of a successfully passed doctoral examination in theology (Royal Decree of 9 September 1974, *Staatsblad* 539);
  - The Theological College of the Reformed Church in the Netherlands in Kampen, Oudestraat 6, together with the Johannes Calvijn Academy of the Johannes Calvijn Foundation in Kampen, in respect of the doctorate and the certificate of a successfully passed doctoral examination in theology (Royal Decree of 8 March 1975, *Staatsblad* 109);
  - The Theological College of the Reformed (Free) Church in Kampen, Broederweg 15, in respect of the doctorate and the certificate of a successfully passed doctoral examination in theology (Royal Decree of 8 March 1975, *Staatsblad* 109);
  - The Theological College of the Christian Reformed Church in the Netherlands in Apeldoorn, in respect of the certificate of a successfully passed pre-final examination (Royal Decree of 8 March 1975, *Staatsblad* 109), and of the doctorate and certificate of a successfully passed doctoral examination in theology (Royal Decree of 2 February 1979, *Staatsblad* 43);
  - The Catholic Theological College in Utrecht, in respect of the doctorate and the certificate of a successfully passed doctoral examination in theology (Royal Decree of 23 January 1976, *Staatsblad* 33).

10. Given the present differences existing between the two Contracting States as regards the legal definition of the area covered by higher education, it is emphasized that all other establishments which are recognized by law to be establishments of higher education within the meaning of article 1 of the Agreement shall be covered by the Agreement.

I have the honour to propose that this note and your reply in confirmation thereof shall constitute an agreement between the Government of the Kingdom of the Netherlands and the Government of the Federal Republic of Germany which shall be an integral part of the Agreement and shall enter into force on the same day and on the same conditions as those of the Agreement.

Accept, Sir, etc.

[Signed]

K. W. REININK

Ambassador of the Kingdom  
of the Netherlands

The Secretary of State  
Dr. Hans Werner Lautenschlager  
Foreign Office  
Bonn

## II

SECRETARY OF STATE  
FOREIGN OFFICE

Bonn, 23 March 1983

Sir,

I have the honour to acknowledge the receipt of your letter of today's date, the German text of which reads as follows:

*[See letter I]*

I have the honour to confirm to you that the Government of the Federal Republic of Germany is in agreement with the contents of the foregoing letter.

Accept, Sir, etc.

LAUTENSCHLAGER

His Excellency Dr. Kasper Willem Reinink  
Ambassador Extraordinary and Plenipotentiary  
of the Kingdom of the Netherlands  
Bonn

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