

No. 21835

**FRANCE
and
TOGO**

**Agreement on cultural co-operation (with related protocol).
Signed at Lomé on 23 March 1976**

Authentic text: French.

Registered by France on 12 April 1983.

**FRANCE
et
TOGO**

**Accord de coopération culturelle (avec protocole annexe).
Signé à Lomé le 23 mars 1976**

Texte authentique : français.

Enregistré par la France le 12 avril 1983.

[TRANSLATION—TRADUCTION]

AGREEMENT¹ ON CULTURAL CO-OPERATION BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE TOGOLESE REPUBLIC

The Government of the French Republic, on the one hand, and
The Government of the Togolese Republic, on the other,
Desiring to promote exchanges in the field of science, education and culture,
Have agreed as follows:

TITLE I. CO-OPERATION WITH REGARD TO EDUCATION

Article I. The Government of the French Republic undertakes to assist, to the best of its ability, in the territory of the Togolese Republic and in its own territory the education of Togolese citizens wishing to pursue a French type of education and obtain the corresponding diplomas. It shall, in particular, take appropriate steps to place at the disposal of the Togolese Government, to the fullest extent possible, the qualified personnel that Government may need in education, culture, physical education and sport.

The methods whereby such personnel shall be made available, and also their duties, rights and guarantees, shall be governed by the General Agreement on technical co-operation. Special provisions applicable to educational personnel shall be specified in the Protocol annexed to this Agreement.

Article II. The Government of the Togolese Republic undertakes in the same spirit:

- To accord personnel thus placed at its disposal, and also the members of inspectorates and of competitive and other examination boards, every facility in the accomplishment of their task;
- Where necessary, to accord every facility to the Government of the French Republic to establish and maintain educational establishments under its authority in the territory of the Togolese Republic, with due respect for the laws and regulations relating to public policy.

Article III. The *baccalauréat* (secondary education) conferred in France or in Togo shall be automatically valid in the territory of either State.

Diplomas and degrees other than the *baccalauréat* shall be equivalent.

Nevertheless, the provisions of the foregoing paragraph may, in case of need, be modified by an exchange of letters at the request of either Party.

Article IV. Physical or juridical persons who are nationals of the French Republic or the Togolese Republic may, provided that they have obtained the prior authorization of the Government, set up or maintain private educational establishments in the territory of the other Contracting Party in accordance with its laws and regulations, particularly those concerning required professional qualifications. Authorizations granted to establishments regularly set up at the time this Agreement is signed are hereby confirmed.

¹ Came into force on 1 September 1981, i.e., the first day of the second month following the exchange of the notifications (effected at Paris on 22 June and 30 July 1981) confirming the completion of the required procedures, in accordance with article XII.

Establishments set up in Togo by French nationals for the education of French children and establishments set up in France by Togolese nationals for the education of Togolese children may, by special permission granted on a case-by-case basis, follow the time-tables, curricula and methods in force in the country of origin.

Article V. Each Government may organize, in the territory of the other, centres at which its nationals may take competitive and other qualifying examinations, in accordance with the conditions stipulated in the regulations of their country of origin.

TITLE II. CULTURAL EXCHANGES

Article VI. Each State undertakes to promote the setting up in its territory by the other State of libraries and cultural centres with a view to making their culture and civilization better known to each other.

The two States also undertake to promote knowledge of their respective national life by all possible means, including the organization of instructional travel, courses, exchanges of teachers and young people and the use of auxiliary audio-visual techniques of communication.

Subject to the legislation in force, all facilities for scientific research shall be accorded for the carrying out of missions in the territory of the other State.

Article VII. Each of the two States undertakes to facilitate the studies or research of nationals of the other State, by granting scholarships, loans and research scholarships and by organizing courses.

Article VIII. The French Government undertakes in particular to facilitate the entry of Togolese candidates to the *grandes écoles* (colleges of higher specialized education) of France, within the framework of the rules and regulations governing them.

Togolese students in France shall enjoy, for the normal duration of their studies, the rights and privileges accorded to or recognized for French students.

Article IX. The nationals of each of the two States shall enjoy, in the territory of the other, freedom of expression in the fields of thought and art consistent with respect for public policy.

The entry, circulation and dissemination of the means of expression of thought and art of each of the two countries shall be fully assured, and as far as possible encouraged, in the territory of the other, subject to respect for public policy.

Article X. The Government of the French Republic and the Government of the Togolese Republic shall take all necessary steps to guarantee the cultural organizations of each Contracting Party, subject to the laws and regulations in force in their territories, the tax and related benefits accorded to the corresponding Government organizations.

TITLE III. MISCELLANEOUS PROVISIONS

Article XI. A mixed commission shall be established to supervise the implementation of this Agreement. It shall consist of as many delegates as each Contracting Party shall deem necessary. It shall elect its chairman from among the members and shall meet at least once a year.

Article XII. This Agreement abrogates and replaces the Agreement on cultural co-operation of 10 July 1963¹ and the Agreement on higher education of 9 July 1970 and shall enter into force on the first day of the second month following the exchange of instruments confirming the completion of the procedures required for that purpose in each of the two States.

¹ United Nations, *Treaty Series*, vol. 722, p. 73.

This exchange shall take place as soon as possible in Paris.

This Agreement shall remain in force until the expiry of one year from the date on which one of the Contracting Parties shall have declared its wish to terminate the effects of the Agreement.

DONE at Lomé on 23 March 1976 in two original copies.

For the Government
of the French Republic:
[Signed]

JEAN DE LIPKOWSKI
Minister of Co-operation

For the Government
of the Togolese Republic:
[Signed]

AYI HOUENOU HUNLEDE
Minister for Foreign Affairs

PROTOCOL CONCERNING EDUCATIONAL PERSONNEL MADE AVAILABLE TO THE TOGOLESE REPUBLIC

The Government of the French Republic, on the one hand, and
The Government of the Togolese Republic, on the other,
Have agreed on the following provisions:

Article I. The purpose of this Protocol is to specify, in accordance with article I of the Agreement on cultural co-operation of today's date, the special provisions applicable to educational personnel made available to the Government of the Togolese Republic pursuant to the General Agreement on technical co-operation of today's date.¹ The provisions of the General Agreement shall be applicable to such personnel in so far as they are not waived by this Protocol.

Article II. The list of requirements in respect of educational personnel shall be drawn up annually by the Togolese Republic and communicated to the French Republic before 1 February of each year for the forthcoming academic year.

In view of the large number of educational personnel needed and the requirements of the school calendar, the submission of the lists of candidates must be answered within 15 days after their receipt.

The appointment of educational personnel shall be announced by the competent authorities of the Togolese Republic and shall take effect from a date which shall be fixed so as to avoid any interruption in the current educational service.

The initial appointment shall be for a period of two school years.

This period shall be extended by tacit agreement from one school year to another, except when the person concerned requests otherwise or when one of the Contracting Parties decides otherwise at least three months before the date fixed for the first stage in the transfer of educational personnel to France. On the same date the person in question shall be informed of the decision taken in his regard.

The date of repatriation of educational personnel shall coincide with the end of the school year, subject to the provisions of article IV of the General Agreement.

Article III. Members of the teaching profession seconded by France for the purpose of technical assistance shall be entitled to 75 days of annual leave, including travel time, during the major school holidays in Togo.

Administrative personnel seconded for the same purpose shall be entitled to 75 days of annual leave, which shall be scheduled in accordance with the requirements of the service and need not coincide with the major school holidays.

¹ See p. 121 of this volume.

Article IV. Personnel made available to the Togolese Republic under the General Agreement on technical co-operation of today's date shall, in accordance with the legislation relating to the position of seconded officials, have the same terms of employment and the same professional guarantees and freedoms traditionally accorded by the French Republic to members of the teaching profession.

The weekly hours of work required of the teaching personnel made available by the Government of the French Republic to the Government of the Togolese Republic shall be laid down as required by the Mixed Commission established in article XI of the Agreement on cultural co-operation.

Article V. Pedagogical control of French teaching personnel serving in the territory of the Togolese Republic shall be carried out by the competent members of the inspectorates of the two countries.

Administrative reports on the personnel covered by this Protocol shall be made by qualified French and Togolese university officials and by the Minister of Education of the Togolese Republic.

Article VI. The Togolese Republic may request that the inspection referred to in the first paragraph of the preceding article cover personnel other than those mentioned in that paragraph.

The Government of the Togolese Republic shall grant every facility for the fulfillment of their task to members of the teaching profession and of the inspectorates and competitive and other examination boards are called upon to perform their duties in the territory of the Togolese Republic under the Agreement on Cultural Co-operation and this Protocol.

DONE at Lomé on 23 March 1976.

For the Government
of the French Republic:
[Signed]
JEAN DE LIPKOWSKI
Minister of Co-operation

For the Government
of the Togolese Republic:
[Signed]
AYI HOUENOU HUNLEDE
Minister for Foreign Affairs