

No. 22937

FRANCE
and
FEDERAL REPUBLIC OF GERMANY

Agreement on the Franco-German Office for Youth, superseding the Agreement of 22 June 1973 amending the Agreement of 5 July 1963 between the French Republic and the Federal Republic of Germany establishing the Franco-German Office for Youth (with exchange of letters). Signed at Bonn on 25 November 1983

Authentic texts: French and German.

Registered by France on 8 June 1984.

FRANCE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

Accord sur l'Office franco-allemand pour la jeunesse, remplaçant l'Accord du 22 juin 1973 modifiant l'Accord du 5 juillet 1963 entre la République française et la République fédérale d'Allemagne portant création de l'Office franco-allemand pour la jeunesse (avec échange de lettres). Signé à Bonn le 25 novembre 1983

Textes authentiques : français et allemand.

Enregistré par la France le 8 juin 1984.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ ON THE FRANCO-GERMAN OFFICE FOR YOUTH,
SUPERSEDING THE AGREEMENT OF 22 JUNE 1973² AMEND-
ING THE AGREEMENT OF 5 JULY 1963 BETWEEN THE FRENCH
REPUBLIC AND THE FEDERAL REPUBLIC OF GERMANY ES-
TABLISHING THE FRANCO-GERMAN OFFICE FOR YOUTH³

Pursuant to the Treaty of 22 January 1963⁴ concerning Franco-German co-operation and article 17 of the Agreement of 22 June 1973 establishing a Franco-German Office for Youth, the Government of the French Republic and the Government of the Federal Republic of Germany have agreed as follows:

I. NAME AND PURPOSE

Article 1. An agency named the “Franco-German Office for Youth”, with the purpose of developing relations between French and German youth, shall be established.

Article 2. (1) The purpose of the Office shall be to strengthen the ties uniting the youth of the two countries and deepen their mutual understanding and, to that end, to promote, encourage and, where appropriate, conduct meetings and exchanges of young people. Its activities shall, in particular, extend to the following areas:

- (a) Encounters and exchanges between school children, students and young workers;
- (b) Professional and technical exchanges;
- (c) Group trips and sports and youth encounters;
- (d) Vacation centres for children, youth and families;
- (e) Exchanges and instruction clauses for youth workers and youth sports personnel, joint training of young athletes;
- (f) Strengthening of mutual knowledge of the two countries through information activities, the organization of study trips and sojourns, seminars, artistic presentations and meetings of leaders of youth organizations;
- (g) Development of extra-curricular institutions devoted to promoting in each country a knowledge of the other country’s language;
- (h) Scientific inquiry and research in matters relating to youth.

(2) In carrying out the above tasks, the Office shall apply the principles of co-operation and understanding which should be developed among young people, both with regard to European countries and with regard to other countries of the free world.

Article 3. (1) The Office shall possess juridical personality. It shall be autonomous in management and administration.

¹ Came into force on 1 January 1984, in accordance with article 18.

² United Nations, *Treaty Series*, vol. 939, p. 279.

³ *Ibid.*, vol. 1403, n° I-23454.

⁴ *Ibid.*, vol. 821, p. 323.

(2) To that end, the provisions of sections 3, 4, 7, 9 and 31 (a) of the Convention on the privileges and immunities of the specialized agencies, approved by the General Assembly of the United Nations on 21 November 1947,¹ shall apply to the Franco-German Office for Youth, both in the French Republic and in the Federal Republic of Germany.

II. MEANS FOR THE ACTIVITIES OF THE OFFICE

Article 4. (1) The Office shall have at its disposal the Franco-German common fund provided for in the Treaty of 22 January 1963.

(2) Subject to the budgetary rules in force in each country, the amounts needed by the Office for its activities shall be paid to the fund each year, in equal parts, after consideration of the draft budget prepared by the Governing Council.

(3) The Office shall be authorized to receive all other income, and in particular payments which may be made by beneficiaries of activities which it organizes.

(4) The annual report of the auditors, referred to in article 9 of this Agreement, shall be submitted to the two Governments together with the comments of the Secretary-General.

Article 5. (1) The Office shall draw upon the resources at its disposal to pay the cost of developing Franco-German co-operation in matters relating to youth, and in particular the exchanges referred to in article 2 above. The allocation of such resources shall be made under programmes of operations in conformity with the objectives and guidelines established by the Governing Council referred to in article 6.

(2) The Office shall act through subsidies paid either to public institutions or to private groups. If, in order to accomplish its mission, the Office deems it necessary to maintain prolonged co-operation with some specific partners, contracts with them may be drawn up in accordance with the budgetary powers of the Governing Council established in article 9.

(3) The Office may itself undertake activities in the areas of co-operation and exchanges and may, in exceptional cases, establish and maintain institutions appropriate to its purpose.

(4) It may also take charge of preparing and carrying out such activities of common interest and in conformity with its mission as may be suggested to it by public or private organizations if the said organizations provide the necessary funding.

III. GOVERNING COUNCIL

Article 6. (1) The Office shall be administered by a Governing Council composed of 15 French members and 15 German members, appointed by the Government of the French Republic and that of the Federal Republic of Germany respectively.

(2) In each country, six of the members shall be representatives of public services, while the nine others shall be distinguished persons, representatives of local or regional authorities, leaders of youth organizations and other sectors concerned with the activities of the Office. An alternate shall be designated for each member and shall participate in the meetings of the Governing Council only if the regular member is unable to do so.

¹ United Nations, *Treaty Series*, vol. 33, p. 261. For the final and revised texts of annexes published subsequently, see vol. 71, p. 318; vol. 79, p. 326; vol. 117, p. 386; vol. 275, p. 298; vol. 314, p. 308; vol. 323, p. 364; vol. 327, p. 326; vol. 371, p. 266; vol. 423, p. 284; vol. 559, p. 348; vol. 645, p. 340; vol. 1057, p. 320, and vol. 1060, p. 337.

(3) Regular and alternate members shall serve for a period of three years. Members may be recalled for serious cause by the appointing Government after consultation with the Governing Council. Where a member relinquishes the functions for which he was appointed to the Governing Council, a replacement, from the same sector or a corresponding sector, may be appointed to serve until the expiry of the term. The members of the Governing Council shall serve without pay; their travel costs and expenses for missions and meetings shall be reimbursed.

Article 7. The Governing Council shall meet alternately in France and Germany and shall be presided over by one of its two Chairmen, the other being present or represented. The two Chairmen shall be the Minister for Youth of the French Republic and the Federal Minister for Youth of the Federal Republic of Germany.

Article 8. (1) The Governing Council shall meet at least twice a year and, in addition, when its two Chairmen, by agreement, deem it necessary or when the majority of members so wish.

(2) The place and date of each meeting shall be established by agreement between the two Chairmen. They shall also propose the agenda after consultation with the Secretary-General. Proposals for the agenda may also be made by members of the Governing Council.

(3) For the purpose of preparing its decisions, the Governing Council may also meet in the absence of the chairmen. In that case, it shall be presided over by the representations of the ministries for youth. Similarly, it may establish committees for that purpose.

Article 9. (1) The Governing Council shall have the powers needed to accomplish the mission of the Office as defined in article 1 and 2 of this Agreement.

(2) The Council:

- Shall draw up the programme of activities of the Office and prepare guidelines for its application;
- Shall take all appropriate measures to ensure the proper functioning of the Office;
- Shall adopt the budget of the Office;
- Shall formulate the rules for the proper administration of budgetary funds;
- Shall approve the annual report of the Secretary-General;
- Shall study the reports of beneficiary organizations on their activities and the use of the funds which they have received;
- Shall, by agreement with each of the two Governments, appoint two auditors, one French and one German, who shall be responsible, in accordance with the regulations of the Office, for making an annual joint examination of the use of funds and reporting to the Office;
- Shall, after studying the auditors' report and any observations of the Secretary-General, give the Secretary-General full discharge with respect to his administration for the financial year in question.

(3) The Governing Council shall adopt its own rules of procedure.

Article 10. (1) The quorum needed for the adoption of the Governing Council's decisions shall be two thirds of its voting members. If a quorum is not present, the Chairman presiding shall reconvene the Council within 30 days. The Council may then take decisions without the need for a quorum.

(2) The decisions of the Governing Council shall be taken by a majority of two thirds of the members present. If this majority is not obtained, the Chairman may call for a second reading and a new vote with the same majority requirement.

(3) The Chairman shall at all times have the discretion to decide whether or not to submit the result of deliberations to a formal vote, except in respect of budgetary matters and proposals to amend the Agreement on the initiative of the Governing Council, as provided in article 17, where the provisions of paragraph 2 of this article shall apply.

IV. SECRETARIAT

Article 11. (1) The executive organ of the Governing Council shall be the Secretary-General, assisted by a Deputy Secretary-General. They must be nationals of either State and must be of different nationalities. They shall both be appointed by agreement between the two Governments after consultation with the Governing Council. Their term of office, identical for each of them, shall be five years.

(2) Upon the expiry of his term of office, the Secretary-General shall be replaced by a national of the other State. The same procedure shall apply with regard to the Deputy Secretary-General.

Article 12. (1) The Secretary-General shall represent the Office. He shall prepare the meetings of the Governing Council, submit to it all reports and the draft budget, oversee the implementation of the decisions of the Council and assure the proper management of the budget. If the budget for the following year is not adopted before the end of the financial year in progress, the Secretary-General shall take all measures needed for the functioning of the services of the Office and the implementation of programmes in progress.

(2) The Deputy Secretary-General shall support the Secretary-General in all of his functions and act in his stead when the Secretary-General is absent or unable to act. The Secretary-General may, furthermore, delegate to him certain powers, determined by agreement with the two co-Chairmen of the Governing Council, giving him, in particular, authority over some services of the Office. Such delegation of powers may be revoked in the same manner.

(3) The Secretary-General and the Deputy Secretary-General shall both participate in the meetings of the Governing Council in an advisory capacity.

Article 13. The Secretary-General shall appoint the staff of the Office. In exercising his power of appointment, he shall take care to maintain balanced representation of the two nationalities.

Article 14. (1) The headquarters of the Office shall be established by agreement between the two Governments.

(2) The organization of the Office and the working procedure of the Secretariat shall ensure balanced implementation of the assignments in both countries.

V. SPECIAL PROVISIONS

Article 15. (1) The staff regulations and the system and amounts of the various allowances and supplementary allotments paid to the staff shall be determined by the Governing Council after approval by the competent national authorities.

(2) The Governing Council shall be kept informed of the general measures for the adjustments of wages and salaries adopted by the competent national authorities.

Article 16. 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 French Government within three months from the date of entry into force of this Agreement.

Article 17. The two Governments may amend this Agreement on their own initiative or on the recommendation of the Governing Council.

Article 18. This Agreement, which annuls the provisions of the Agreement signed on 22 June 1973, shall enter into force on 1 January 1984.

The two ministers who are co-Chairmen of the Office shall take such measures as may prove necessary between now and 1 January 1984 to apply the Agreement.

DONE at Bonn on 25 November 1983 in two originals, in the French and German languages, both texts being equally authentic.

For the Government
of the French Republic:

[Signed]

CLAUDE CHEYSSON

For the Government
of the Federal Republic of Germany:

[Signed]

HANS-DIETRICH GENSCHER

EXCHANGE OF LETTERS

I

MINISTRY FOR RECREATION, YOUTH AND SPORTS

The Deputy Minister

Paris,

006411

Sir,

As a result of the talks which you and I have held, the Government of the Federal Republic of Germany and the Government of the French Republic have agreed to amend the Agreement of 22 June 1973 amending the agreement of 5 July 1963, establishing the Franco-German Office for Youth, in accordance with the procedure provided for in article 17 of that document; the amendment was signed by the Ministers for Foreign Affairs of our two countries on 25 November 1983.

With respect to the application of articles 11 and 14 of the new text and on the basis of our conversation on the subject, I ask you to confirm your agreement to the following provisions:

1. For the first five years, the Secretary-General of the Office shall be of French nationality and the Deputy Secretary-General shall be of German nationality.

2. Following these first five years, the Secretary-General shall be of German nationality and the Deputy Secretary-General of French nationality. Their term of office shall also be five years.

3. The headquarters of the Office shall be at Bonn for the next 10 years beginning on 1 January 1984.

4. While maintaining the comprehensive character of the Office, an effort will be made to ensure a more balanced representation of it, within the limits of its normal operational budget, through the gradual transfer to France of part of the functions and staff concerned as well as the actual presence of the Secretary-General and the Deputy Secretary-General. The Secretary-General, in agreement with the two Governments, shall take the necessary action to that end. He shall make the relevant proposals in 1984.

5. This arrangement shall 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 French Republic within three months from the date of entry into force of this arrangement.

Accept, Sir, etc.

[Signed]

EDWIGE AVICE

Mr. Heiner Geissler
Federal Minister for Youth,
the Family and Health

II

THE FEDERAL MINISTER FOR YOUTH, THE FAMILY AND HEALTH

Bonn, 25 November 1983

Madam,

I have the honour to acknowledge receipt of your note of 25 November 1983, the text of which in German reads as follows:

[See letter I]

I have the honour to confirm my agreement to the foregoing provisions.

Accept, Madam, etc.

[Signed]

Dr. HEINER GEISSLER

Mrs. Edwige Avice
Minister for Recreation,
Youth and Sports