

**No. 30460**

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**FRANCE  
and  
ANDORRA**

**Agreement in the field of education (with annexes). Signed at  
Paris on 19 March 1993**

*Authentic texts: French and Catalan.*

*Registered by France on 1 November 1993.*

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**Convention dans le domaine de l'enseignement (avec an-  
nexes). Signée à Paris le 19 mars 1993**

*Textes authentiques : français et catalan.*

*Enregistrée par la France le 1<sup>er</sup> novembre 1993.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FRENCH  
REPUBLIC AND THE GOVERNMENT OF THE PRINCIPALITY  
OF ANDORRA IN THE FIELD OF EDUCATION

The Government of the French Republic and the Government of the Principality of Andorra,

Considering, on the one hand, their interest in upholding the high quality of the education provided by French institutions in the Principality and, on the other, their desire to foster the study of the language and civilization of Andorra, which form the basis of the Andorran identity,

Considering that, since their establishment, these institutions have carried out a public service mission in Andorra,

Wishing to give both French and Andorran teaching staff a status that guarantees their rights and specifies their obligations, and to provide them with the teaching materials and facilities they need in order to perform their functions,

Have agreed as follows:

## TITLE I. GENERAL PROVISIONS

*Article 1*

French educational institutions in the Principality of Andorra shall contribute to the development of education in the Principality by providing high-quality French education with due respect for the Andorran identity.

They shall provide this instruction in accordance with the principle, observed by public educational institutions in France; that education should be free and compulsory.

*Article 2*

These institutions shall include:

- French nursery schools and primary schools located in the parishes;
- A secondary school establishment consisting of a middle school, a vocational school and an upper school, known as the Lycée Comte de Foix.

*Article 3*

The opening or closure of educational institutions shall be decided upon by mutual agreement between the two Governments, on the recommendation of the Joint Commission established under article 13 of this Agreement.

*Article 4*

To carry out their mission, French educational institutions in the Principality of Andorra shall call upon all categories of public school personnel, whether of French

<sup>1</sup> Came into force on 19 April 1993, i.e., one month after the date of signature, in accordance with article 19.

or Andorran nationality, that come under the authority of the French Ministry of Education.

In order to perform their functions, such personnel, whether French or Andorran, must have the qualifications required of personnel in similar institutions in France; in particular they must hold the necessary French teaching certificates.

#### *Article 5*

The above-mentioned personnel shall be subject to the statutory rules that apply to them, particularly with respect to appointments, transfers and career management, without prejudice to the specific provisions laid down in article 6 hereunder.

#### *Article 6*

Andorran nationals shall be given priority in appointments:

- To fill vacancies in French educational institutions in Andorra upon their initial assignment to the Principality;
- To the post of principal of nursery schools and primary schools, provided that they meet the conditions set forth in annex I, up to a maximum of half the total number of such posts.

The headmaster of the Lycée Comte de Foix, as well as his assistants, shall be appointed according to the same rules that apply to public educational institutions in France. The Andorran authorities shall be informed of these appointments in advance.

#### *Article 7*

The salaries of personnel of the institutions referred to in article 4 shall be covered by the French national budget with funds allocated to the French Ministry of Education.

The Andorran Government shall provide the institutions with the teachers needed to teach the Catalan language and the geography, history and institutions of Andorra; it shall be responsible for paying the salaries of such teachers and for ensuring that they are properly qualified.

These teachers shall be subject to the authority of the heads of the institutions. The methods of monitoring their performance shall be determined by the Joint Commission.

#### *Article 8*

The Andorran Government shall provide the French Government with premises for the nursery schools and primary schools and shall be responsible for their upkeep.

The contribution of the Andorran authorities to the operating expenses of the institutions shall be determined through an exchange of letters with the French Government.

The costs of maintaining and supplying equipment for the Lycée Comte de Foix, which stands on a plot of land granted by the Council of the Valleys in 1971, shall be borne by the French Ministry of Education.

The Andorran Government may contribute to the operating expenses of this institution. Should it decide to do so, it shall be notified of how the funds it contributes are used.

Under conditions determined in advance, the Andorran authorities may make other premises available to the institutions, with the approval of the Delegate for Education. Likewise, the premises of the Lycée Comte de Foix may be made available to the Andorran authorities.

The act of making these premises available shall not obligate the institutions to employ personnel other than their own.

#### *Article 9*

The school health and social service of the Andorran Government shall be responsible for conducting annual medical examinations of students in these educational institutions and for taking any steps necessary for their physical and social well-being.

This service shall work closely with the Delegate for Education.

### TITLE II. CURRICULUM

#### *Article 10*

The instruction provided by the French educational institutions in the Principality of Andorra shall be consistent with that provided by public educational institutions in the French Republic.

This instruction shall be recognized through the awarding of French diplomas.

#### *Article 11*

However, in order to strengthen the teaching of the Catalan language and of the geography, history and institutions of Andorra, the following special arrangements shall be made with respect to these subjects:

- The Catalan language, which shall be taught first in nursery school and then, more intensively, in primary school, shall enjoy the status of first modern language at the various grade levels of the Lycée Comte de Foix. Consequently, the relevant programmes and programme content shall be prepared by the Andorran Government and transmitted for approval to the French Ministry of Education;
- This subject shall be fully taken into account in the preparation of the curriculum and shall be recognized for purposes of the awarding of French diplomas.

The required number of hours for the teaching of the Catalan language and of the geography, history and institutions of Andorra are set forth in annex II.

### TITLE III. ADMINISTRATIVE STRUCTURES

#### *Article 12*

An official known as the Delegate for Education, reporting to the French Minister of Education, shall be appointed in the Principality of Andorra. He shall serve as the contact person for the Andorran authorities for all matters concerning the French educational system in Andorra. In addition, he shall be the contact person

for the competent departments of the Ministry of Education for the administration of the necessary resources.

#### *Article 13*

A French-Andorran Joint Commission on Education shall be established.

This Commission, which shall be intergovernmental in nature, may meet in plenary session or in special session.

At its plenary sessions, the Commission shall consider the main orientations of the teaching policy of the French institutions and shall take decisions on all important issues in this area.

It shall meet at least once a year, alternately in Paris and in Andorra, and shall be chaired by either the French Minister of Education or the Andorran Minister of Education, depending on where it is meeting.

The special sessions of the French-Andorran Joint Commission shall be held in the Principality of Andorra and shall focus, *inter alia*, on:

- Ensuring the implementation and follow-up of the decisions taken at the plenary meetings of the Commission;
- Discussing issues of interest to both parties, such as school transport, school health, infrastructure, teaching materials, the calendar of the school year, sports activities, scholarships, restoration of school buildings and the non-teaching staff of schools;
- Ensuring proper implementation of the provisions adopted with respect to the teaching of subjects within the competence of the Andorran authorities.

The Commission shall be informed of the candidacy of personnel proposed by the French Ministry of Education, on the one hand, and of personnel made available to the French institutions by the Andorran Government to teach the Catalan language and the geography, history and institutions of Andorra, on the other.

#### *Article 14*

There shall be established, by analogy with the system existing in French educational institutions, a school board for every French school and a board of directors for the Lycée Comte de Foix in order to provide for the participation of all members of the educational community.

The advisory boards of the schools and the Lycée shall remain in place up to the beginning of the mandate of the members of the school boards and the board of directors of the Lycée.

### TITLE IV. MISCELLANEOUS PROVISIONS

#### *Article 15*

Both Parties undertake to consider the establishment of a system of equivalences between the education provided in the French school system and that provided in the Andorran system.

*Article 16*

The French School system shall enjoy the same advantages as other school systems, without prejudice to specific adaptations.

*Article 17*

Upon their appointment, French personnel and their families (children and spouses) shall be granted a residence authorization valid for the duration of their assignment in Andorra.

*Article 18*

French personnel assigned to the Principality of Andorra shall have the right to unionize, in accordance with the constitutional and legislative provisions in effect in Andorra.

*Article 19*

This Agreement shall come into force one month after its signature. On that date, it shall replace all relevant provisions currently in force, which shall thereby be abrogated.

It shall remain in force for 10 years. Either Party may request that it be amended by so advising the other Party two years in advance.

DONE at Paris on 19 March 1993 in two originals, in the French and Catalan languages, both texts being equally authentic.

For the Government  
of the French Republic:

JACK LANG  
Minister of Education  
and Culture

CATHERINE TASCA  
Secretary of State for Relations  
with French-speaking Countries  
and Foreign Cultural Relations

For the Government  
of the Principality of Andorra:

JOSEP DALLERES CODINA  
Councillor for Education,  
Culture and Youth

ANTONI ARMENGOL ALEIX  
Secretary-General for Relations  
with the European Community

## ANNEX I

A National Commission on the assignment of French school personnel to Andorra, under the authority of the French Ministry of Education, shall consider applications for posts in Andorra.

For the 1993 school year, the members of this Commission shall be chosen in accordance with the provisions of Decree No. 82-402 of 7 May 1982 and of the order issued for its implementation.

Candidates for the post of principal of a nursery school or primary school must either occupy such a post in Andorra or be included on the roster of candidates for such posts in Andorra. Andorran candidates shall be given priority, as stipulated in article 6 of the Agreement.

School principals shall be appointed according to the following provisions:

For schools with five or more classes, candidates must have at least five years of professional experience in Andorra and must have reached the eleventh step of the professional scale for teachers classified as *instituteurs* or the eighth step of the scale for those classified as *professeurs des écoles*.

For schools with fewer than five classes and for those with five or more classes, where there are several Andorran candidates or in the absence of Andorran candidates who meet the conditions specified above, the following factors shall be taken into account in choosing from among the candidates:

- (1) Overall seniority: 1 point per year and 1/12 point per month.
- (2) Duration of professional experience in Andorra:
 

— 0 to 5 years = 0 points	}	Maximum 12,5 points
— 6 to 10 years = 1 point per year		
— 11 to 15 years = 1.5 points per year		
- (3) Experience as principal in Andorra:
 

— 5 or more classes = 1 point per year	}	Maximum 10 years; the best years shall be taken into account
— Fewer than 5 classes = 1/2 point per year		

Assignments for the 1993 school year shall be governed by the provisions of this annex and of article 6 of the Agreement.

## ANNEX II

TEACHING OF THE CATALAN LANGUAGE AND OF THE GEOGRAPHY, HISTORY  
AND INSTITUTIONS OF ANDORRA IN FRENCH EDUCATIONAL INSTITUTIONS IN ANDORRA

## PRIMARY SCHOOL

*Hours per week**Nursery school:*

Three hours of instruction in the Catalan language at the middle and upper levels.

*Primary school:*

Four hours of instruction in the Catalan language, one of which shall be taken out of the hours allocated to the third group of subjects.

## SECONDARY SCHOOL

At all levels of secondary school, the required number of hours shall be the same as in similar public educational institutions in France. However,

*In the middle school:*

Students in the first four grades of the Lycée Comte de Foix shall be required to study Catalan as a modern language (level I). They may also choose to study a second modern language (level I).

In addition, students in the first two grades of secondary school shall be required to take one hour per week of instruction on the history, geography and institutions of Andorra.

Students who have lived in Andorra for less than five years when they enter the first year of secondary school may elect not to take Catalan as a modern language (level I). In that case, such students shall be required to take two hours of courses on the Catalan language and on the history, geography and institutions of Andorra.

*In the upper school:*

Students in the last three grades of the Lycée Comte de Foix may study Catalan as a modern language (level I, II or III). These courses shall count towards the requirements for the *baccalauréat*.

In each of the final three grades, students shall take a seminar, lasting one term, on the history, geography and institutions of Andorra.

The other students shall be required to take two hours per week of courses on the Catalan language and on the history, geography and institutions of Andorra.

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