

No. 30301

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**UNITED STATES OF AMERICA  
and  
MOROCCO**

**Agreement establishing a binational commission for educational and cultural exchange. Signed at Marrakech, Morocco, on 12 February 1982**

*Authentic texts: English and Arabic.*

*Registered by the United States of America on 28 September 1993.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
MAROC**

**Accord portant création d'une commission binationale pour les échanges éducatifs et culturels. Signé à Marrakech (Maroc) le 12 février 1982**

*Textes authentiques : anglais et arabe.*

*Enregistré par les États-Unis d'Amérique le 28 septembre 1993.*

## AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE KINGDOM OF MOROCCO ESTABLISHING A BINATIONAL COMMISSION FOR EDUCATIONAL AND CULTURAL EXCHANGE

The Government of the United States of America and the Government of the Kingdom of Morocco:

Considering the results achieved in the field of educational and cultural exchanges between the two countries under the Cultural Agreement signed at Washington, D.C. on February 10, 1967<sup>2</sup> and the various exchanges of diplomatic notes establishing a provisional commission on educational and cultural exchanges,<sup>3</sup>

Desiring to continue such exchanges and to cooperate in the development of programs in the field of educational and cultural exchanges that will promote the spirit of traditional friendship uniting the people of the two countries,

Have agreed as follows:

### *Article 1*

There shall be established a commission to be known as the Moroccan-American Commission for Educational and Cultural Exchange (hereinafter designated “the Commission”) the purpose of which is to facilitate the administration of academic and cultural exchanges for American and Moroccan citizens.

### *Article 2*

The Commission shall be a legal entity; it shall enjoy financial, managerial and administrative autonomy to accomplish the purposes of the present Agreement.

### *Article 3*

Except as provided in article 11 hereof, the Commission shall be exempt from the domestic and local laws of the United States of America as they relate to the use and expenditure of currencies and credits for currencies and the acquisition and use of property for the purposes set forth in the present Agreement.

### *Article 4*

The Center of activities of the Commission shall be in Rabat,

### *Article 5*

The Government of the Kingdom of Morocco shall grant to the Commission the privileges, exemptions and immunities included in sections 3, 4, 9 and 10 of the Convention adopted by the General Assembly of the United Nations, November 21, 1947, on the Immunities and Privileges of Specialized Agencies.<sup>4</sup>

<sup>1</sup> Came into force on 20 May 1982, the date on which the Parties notified each other of the completion of the required formalities, in accordance with article 17.

<sup>2</sup> United Nations, *Treaty Series*, vol. 688, p. 149.

<sup>3</sup> *Ibid.*, vol. 1202, p. 197; vol. 1266, p. 359; and vol. 1529, p. 528.

<sup>4</sup> *Ibid.*, 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.

### Article 6

The Commission shall consist of twelve members, six of whom shall be citizens of the United States of America and six of whom shall be citizens of Morocco. The American Ambassador to Morocco, or in his absence the Chargé d'affaires *ad interim* (hereinafter designated as "Chief of Mission"), shall appoint the American members and may terminate their appointments. The Minister of Foreign Affairs of the Kingdom of Morocco, or his representative designated for that purpose, shall appoint the Moroccan members and may terminate their appointments.

The Members of the Commission shall serve until December 31st of the year following the year of their appointment. They shall be eligible for reappointment. Appointments to vacant seats shall be made according to the procedures defined in the preceding paragraph.

The members of the Commission shall serve without compensation; however, the Commission may authorize the reimbursement of expenses incurred by its members in attending meetings of the Commission and in performing other official duties assigned by the Commission.

The Chief of Mission and the Minister of Foreign Affairs of the Kingdom of Morocco shall be honorary chairmen of the Commission.

The Commission shall select from among its members a Chairman who shall serve for one year and whose term may be renewed two consecutive times. Such an outgoing chairman cannot then be selected again for the chairmanship before the expiration of one year following his third consecutive term.

### Article 7

The Commission shall adopt such rules and appoint such committees as it shall deem necessary to carry out the responsibilities entrusted to it by this Agreement.

### Article 8

The Commission and any of its committees may meet in such places as the Commission may approve.

### Article 9

Subject to the provisions of the present Agreement, the Commission shall possess all the powers necessary to carry out the purposes of this Agreement, including the following:

1. Plan, adopt and carry out programs in accordance with the purposes of this Agreement;
2. Recommend to the board of foreign scholarships of the United States of America the candidacies of students, trainees, research scholars and teachers at all academic levels, of Moroccan nationality, to participate in the program envisioned by this Agreement;
3. Recommend to the appropriate Moroccan authorities the candidacies, and, as appropriate, arrange for the placement in Moroccan educational institutions, of students, trainees, research scholars and teachers at all academic levels, citizens and nationals of the United States of America, as presented by the aforesaid Board, to participate in the program envisioned by this Agreement;

4. Recommend to the aforesaid Board such qualifications for the selection of participants in the program as the Commission may deem necessary for achieving the purposes of this Agreement;

5. Appoint an executive secretary and a deputy-executive secretary from among a candidate or candidates nominated by their respective Governments. The executive Secretary and the deputy-executive secretary may receive compensation from their respective Governments but not from Commission funds. The Commission shall determine the duration of their appointment and shall evaluate their performance;

6. Designate a treasurer, or other person, to receive funds, which shall be deposited in bank accounts in the name of the Commission; provided, that the designation of the treasurer, or such other person, as well as the choice of the Banks in which Commission funds will be deposited, must be approved by the Government of the United States of America and the Government of the Kingdom of Morocco;

7. Authorize the Treasurer, or other person designated as provided above, to disburse funds and make grants and advances of funds, including payment of transportation, tuition, maintenance and other expenses as determined by the Commission;

8. Provide for periodic audits of the accounts of the Commission by auditors approved by the Government of the United States of America and the Government of the Kingdom of Morocco;

9. Acquire, hold and dispose of property in the name of the Commission; provided, however, that the acquisition of any real property shall be approved in advance by the Government of the United States of America and the Government of the Kingdom of Morocco; and

10. In the absence of objection by either Government, and subject to such conditions as either government may impose, cooperate in the administration and execution of educational programs and activities that further the purposes of the present agreement but are not financed by the Commission.

#### *Article 10*

The Commission shall use the funds made available to it by the two Governments as provided in article 12, subject to the condition specified in article 11, for the following purposes:

1. Financing studies, research, instruction and other educational activities of, or for, citizens and nationals of the United States of America in schools and institutions of learning or research located in Morocco; and of, or for, citizens and nationals of Morocco in American schools and institutions of learning or research located in, or outside of, the United States of America;

2. Financing visits and interchanges between the United States of America and Morocco of students, trainees, teachers, instructors and professors; and

3. Financing other educational programs and activities.

#### *Article 11*

All commitments, obligations and expenditures authorized by the Commission shall be made pursuant to an annual budget drawn up by the Commission and approved by the two Governments.

*Article 12*

Within the limits of funds appropriated for that purpose, in accordance with the budgetary laws prevailing in each of the two countries, the Governments of the United States of America and of the Kingdom of Morocco intend to contribute in equal shares to the approved annual budget of the Commission, according to understandings to be arrived at by the two Governments.

The preceding provision shall not prevent the Government of the United States of America or the Government of the Kingdom of Morocco from making available to the Commission any other funds that may be available for the purposes of the present Agreement.

The performance of the program foreseen in article 10 is subject to the availability of funds appropriated each year to the governmental agencies concerned in accordance with the budgetary laws prevailing in each of the two countries.

As directed by the two Governments, the Commission shall succeed to any assets and liabilities of the provisional commission on educational and cultural exchange established by the various exchanges of diplomatic notes between the two Governments.

*Article 13*

Subject to authorization by the two Governments, the Commission may accept donations, bequests and special project funding.

*Article 14*

The Commission shall submit each year to the Government of the United States of America and to the Government of the Kingdom of Morocco a report, acceptable as to form and content by the two Governments, of its activities and the use of the funds placed at its disposal.

*Article 15*

The two Governments, at the request of either, shall consult to determine means of overcoming any obstacles that might hinder the effective accomplishment of the Commission's programs, or with a view to modifying, by common accord, the provisions of the present Agreement.

*Article 16*

The present Agreement may be terminated by either party by written notice to the other of its desire to terminate the agreement, and such termination shall become effective on the next September 30th following such notice, or 90 days from the date of such notice, whichever occurs later. Any grant made under this Agreement, before the date of notice of termination, shall go into effect and proceed according to its terms until the conclusion date thereof irrespective of the termination of this Agreement. Upon termination of this Agreement, all funds and property of the Commission shall become the property of the Government of the United States of America and the Government of the Kingdom of Morocco, subject to such conditions, limitations and liabilities as may have been imposed thereon prior to termination, and shall be divided between them in proportion to their respective contributions to the Commission during the period of this Agreement.

*Article 17*

The present Agreement shall enter into force when each Government has notified the other Government of the completion of formalities required for the purpose of this Agreement. The Agreement between the Government of the United States of America and the Government of the Kingdom of Morocco, establishing the provisional commission on educational and cultural exchange, which was effected by the various exchanges of diplomatic notes, shall thereupon be terminated, if it shall not then have done so by its own terms.

*Article 18*

The present Agreement is drawn up in English and Arabic, both texts being of equal authenticity.

DONE at Marrakech on this 12th day of February 1982.

For the Government  
of the United States of America:

ALEXANDER M. HAIG, Jr.  
Secretary of State

For the Government  
of the Kingdom of Morocco:

M'HAMED BOUCETTA  
Minister of State  
in charge of Foreign Affairs