

EUROPEAN
COMMUNITIES



Treaty Series No. 120 (1972)

Statute of the European School

Luxembourg, 12 April 1957

(with Annex and Protocol)

[The United Kingdom instrument of accession was deposited on 30 August 1972 and the Statute, as completed by the Protocol, entered into force for the United Kingdom on 1 September 1972]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
November 1972*

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STATUTE OF THE EUROPEAN SCHOOL

The Governments of the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, duly represented by:

Mr. Raoul Dooreman, Chargé d'Affaires *ad interim* of Belgium at Luxembourg, and

Mr. Julien Kuypers, Envoy Extraordinary and Minister Plenipotentiary;

Count Karl von Spreiti, Ambassador Extraordinary and Plenipotentiary of the Federal Republic of Germany at Luxembourg;

Mr. Pierre-Alfred Saffroy, Ambassador Extraordinary and Plenipotentiary of France at Luxembourg;

Mr. Antonio Venturini, Ambassador Extraordinary and Plenipotentiary of Italy at Luxembourg;

Mr. Joseph Bech, Premier, Minister for Foreign Affairs of the Grand Duchy of Luxembourg, and

Mr. Pierre Frieden, Minister for National Education of the Grand Duchy of Luxembourg;

Mr. Adriaan-Hendrik Philipse, Ambassador Extraordinary and Plenipotentiary of the Netherlands at Luxembourg;

Considering that the presence at the provisional seat of the European Coal and Steel Community of children of officials from the Member States has made it necessary to organise schooling in the mother tongues of those concerned;

Considering that a primary school was set up on the initiative of the Association for Educational and Family Interests of Officials of the European Coal and Steel Community, with the agreement of the Luxembourg Government and the material and moral support of the Community institutions;

Considering that, subsequently, the course of studies was gradually extended to secondary level as a result of co-operation between the six States which established the Community and the Community itself;

Considering the complete success of this experiment of educating children of different nationalities together in accordance with a syllabus reflecting as broadly as possible the common aspects of the national educational traditions and the various cultures which together constitute European civilisation;

Considering moreover the cultural interest which the participating States have in furthering and consolidating a project which accords with the spirit of co-operation with which they are imbued;

Considering that it is highly desirable to give a definitive Statute to this School and to support the instruction it gives by recognising the diplomas and certificates awarded by it;

Have agreed and decided as follows:

TITLE I

The European School

ARTICLE 1

An establishment of education and instruction bearing the name "European School" (hereinafter called "the School") is hereby set up at the seat of the European Coal and Steel Community.

ARTICLE 2

The School shall be open to children of nationals of the Contracting Parties. Children of other nationalities may be admitted in accordance with rules laid down by the Board of Governors provided for in Article 8.

ARTICLE 3

The instruction given in the School shall cover the whole course of studies up to the end of secondary school. It shall comprise:

- (1) 5 years of primary school,
- (2) 7 years of secondary school.

Pupils who have not reached the age required for admission to the primary school shall be admitted to the nursery section in accordance with the General Rules of the School.

Pupils who have studied at the School up to the age required by the law of their own country regarding compulsory school attendance shall be considered to have satisfied that requirement.

ARTICLE 4

The education given in the School shall be organised on the following principles:

- (1) The basic instruction as determined by the Board of Governors shall be given in the official languages of the Contracting Parties;
- (2) In all language sections, instruction shall be given on the basis of unified syllabuses and timetables;
- (3) In order to encourage the unity of the School and mutual understanding and cultural exchange between pupils of the different language sections, certain subjects shall be taught to joint classes of the same level;
- (4) To this end, a particular effort shall be made to give pupils a thorough knowledge of modern languages;
- (5) In education and instruction, the conscience and convictions of individuals shall be respected.

ARTICLE 5

1. The years of study successfully completed at the School and the diplomas and certificates in respect thereof shall be recognised in the territory of the Contracting Parties in accordance with a table of equivalents and conditions determined by the Board of Governors provided for in Article 8, subject to the agreement of the competent national authorities.

2. On completion of secondary studies, pupils of the School may take the European Baccalaureate examination, the details of which shall be set out in a special agreement to be annexed to this Statute. Holders of the European Baccalaureate obtained at the School shall:

- (a) enjoy in their respective countries all the benefits attaching to the possession of the diploma or certificate awarded at the end of secondary school in those countries;
- (b) have the same right as nationals with equivalent qualifications to seek admission to any university in the territory of the Contracting Parties.

For the purposes of this agreement, the expression "university" applies to:

- (a) universities;
- (b) institutions regarded as of university standing by the Contracting Party in whose territory they are situated.

ARTICLE 6

The School shall, in the law of each of the Contracting Parties, have the status of a public institution; it shall have legal personality to the extent requisite for the attainment of its objects; it shall be financially independent and may be a party to legal proceedings; it may acquire and dispose of movable and immovable property where this is necessary for the attainment of its objects.

TITLE II

Organs of the School

ARTICLE 7

The organs of the School shall be:

- (1) The Board of Governors
- (2) The Boards of Inspectors
- (3) The Administrative Board
- (4) The Headmaster.

CHAPTER 1

The Board of Governors

ARTICLE 8

The Board of Governors shall consist of the Minister or Ministers of each Contracting Party whose responsibilities include National Education and/or External Cultural Relations.* It shall meet at least once a year. The Ministers may appoint persons to represent them.

The Board of Governors shall elect one of its members to be Chairman for a term of one year.

ARTICLE 9

The Board of Governors shall be responsible for implementation of this agreement; for this purpose it shall have the necessary powers in educational, budgetary and administrative matters. It shall by common accord lay down the General Rules of the School.

ARTICLE 10

In educational and budgetary matters, decisions of the Board of Governors shall be taken unanimously by the Parties represented. In administrative matters, such decisions shall be taken by a two-thirds majority. In all voting each Contracting Party represented shall have one vote.

ARTICLE 11

In educational matters, the Board of Governors shall determine what studies shall be undertaken and how they shall be organised. In particular:

- (1) On a proposal from the appropriate Board of Inspectors it shall adopt harmonised syllabuses and timetables for each year's studies and for each section which it has set up and give general instructions as to what methods should be used.
- (2) It shall provide for supervision of the teaching by the Boards of Inspectors.
- (3) It shall determine the age for entry to the different levels. It shall lay down the rules for the promotion of pupils to the next class or to the secondary school, and it shall determine how the years of study at the School are to be evaluated in order to enable pupils to return at any time to their national schools.
- (4) It shall institute examinations as a means of certifying the work done in the School; it shall lay down rules for such examinations, appoint examining boards, and award diplomas. It shall ensure that the papers for these examinations are set at such a level as to give effect to the provisions of Article 5. It shall draw up the table of equivalents provided for in that Article.

* For the Federal Republic of Germany the competent authorities are the Minister for Foreign Affairs and the President of the Permanent Conference of Ministers of Public Instruction.

ARTICLE 12

In administrative matters, the Board of Governors shall:

- (1) each year appoint its representative on the Administrative Board provided for in Article 20. This representative shall:
 - (a) be responsible for relations with the Contracting Parties between meetings of the Board of Governors;
 - (b) supervise the implementation of decisions of the Board of Governors;
 - (c) represent the School in law;
 - (d) act as Chairman of the Administrative Board;
- (2) appoint the Headmaster of the School and lay down the rules governing his service;
- (3) determine each year, on a proposal from the Boards of Inspectors, the staff requirements and settle with the Governments any questions concerning the assignment or secondment to the School of teaching staff for the primary and secondary levels and of supervisory staff so that they retain their rights to promotion and retirement pension under their national rules and enjoy the benefits granted to officials of their category abroad;
- (4) lay down unanimously, on a proposal from the Boards of Inspectors, and according to harmonised rules, the service rules of the teaching staff of the School.

ARTICLE 13

In budgetary matters, the Board of Governors shall be responsible:

- (1) for adopting the income and expenditure budget of the School prepared by the Administrative Board;
- (2) acting unanimously, for apportioning expenses equitably among all the Contracting Parties;
- (3) for approving the annual accounts submitted by the Administrative Board.

ARTICLE 14

The Board of Governors shall adopt its own rules of procedure.

CHAPTER 2

The Boards of Inspectors

ARTICLE 15

Two Boards of Inspectors shall be set up at the School: one for the nursery section and the primary school, the other for the secondary school.

ARTICLE 16

Each Contracting Party shall be represented by one member on each Board. Each member shall be appointed by the Board of Governors on the proposal of the Party concerned.

ARTICLE 17

The Boards of Inspectors shall meet at regular intervals and shall:

- (1) express their views regarding the standard of work attained and the quality of the teaching methods;
- (2) address to the Headmaster and the teaching staff specific instructions on the basis of their inspections;
- (3) submit to the Board of Governors the proposals provided for in Articles 11 and 12 and, if need be, proposals for the arrangement of syllabuses and the organisation of studies;
- (4) decide at the end of the school year, on a proposal from the Headmaster, upon the promotion of pupils to the next class.

ARTICLE 18

Each inspector may at the same time be required by the competent national authorities at the level of instruction with which he is concerned to supervise the work of teachers from his administration.

He shall assist in their task all persons empowered under the appropriate national laws to inspect and advise the staff for whom he is responsible.

ARTICLE 19

Rules governing the work of the Boards of Inspectors shall be laid down by the Board of Governors.

CHAPTER 3

The Administrative Board

ARTICLE 20

Subject to the derogation under Article 27, the Administrative Board provided for in Article 7 shall comprise six members as follows:

- (1) the representative of the Board of Governors, who shall act as Chairman;
- (2) the Headmaster of the School;
- (3) two members selected by the Board of Governors from two lists each of which shall contain at least two names and of which one shall be drawn up by the teaching staff of the secondary school and the other by the teaching staff of the primary school and of the nursery section jointly;

- (4) two members approved by the Board of Governors, who shall represent the Parents' Association.

In exceptional cases the Chairman may suspend the execution of a decision of the Administrative Board and refer it under an emergency procedure to the Board of Governors, which shall take the necessary decisions.

ARTICLE 21

The Administrative Board shall:

- (1) prepare the income and expenditure budget, submit it to the Board of Governors, supervise its implementation and draw up the annual accounts;
- (2) administer the property and assets of the School;
- (3) create a favourable atmosphere and suitable physical conditions for the proper functioning of the School;
- (4) perform such other administrative duties as may be entrusted to it by the Board of Governors.

CHAPTER 4

The Headmaster

ARTICLE 22

The Headmaster shall carry out his duties in accordance with the General Rules provided for in Article 9 and with the provisions of Article 23.

He shall in particular be responsible for:

- (1) co-ordination of studies: to this end he shall, under a procedure to be determined by the General Rules, convene and preside over Staff Meetings;
- (2) implementing the instructions of the Board of Governors or of the Boards of Inspectors in educational and administrative matters;
- (3) administration of the staff of the School;
- (4) implementing the income and expenditure budget under the supervision of the Administrative Board.

ARTICLE 23

The Headmaster must possess the qualifications requisite for directing an educational establishment whose leaving certificate entitles the holder to university entrance. He shall be responsible to the Board of Governors.

TITLE III

The Parents' Association

ARTICLE 24

The Board of Governors shall recognise an Association representative of the pupils' parents, provided that its aim is:

- (1) to make known to the School authorities the wishes of the parents and their suggestions concerning the organisation of the School;

(2) to organise extracurricular activities in co-operation with the Administrative Board.

The Parents' Association so recognised shall be informed at regular intervals about the life of the School through the Headmaster or through the parents' representatives on the Administrative Board.

TITLE IV

The budget

ARTICLE 25

The financial year of the School shall run from 1 July to 30 June of the following year.

ARTICLE 26

The income and expenditure budget of the School shall be financed by:

- (1) contributions paid by the Contracting Parties on the basis of the apportionment of expenses by the Board of Governors;
- (2) subsidies from the institutions of the Community with which the School has concluded agreements;
- (3) donations and legacies accepted by the Board of Governors;
- (4) school fees charged to parents of pupils by decision of the Board of Governors.

TITLE V

Special provisions

ARTICLE 27

The Board of Governors may conclude with the European Coal and Steel Community any agreement concerning the School. The Community shall then have a seat on the Board of Governors and on the Administrative Board. The number of voting members of the Board of Governors and of the Administrative Board shall then be increased to seven.

ARTICLE 28

The Board of Governors may conclude with the Government of the country where the School is situated any additional agreements required to ensure that the School can operate in a favourable atmosphere under the best possible physical conditions.

ARTICLE 29

At the signing of this Statute, the Luxembourg Government may make reservations deriving from the fact that it is the Government of the country where the School is situated or from its own laws on education.

ARTICLE 30

1. Any Contracting Party may denounce this Statute by written notification addressed to the Luxembourg Government; the latter shall advise all the Contracting Parties of the receipt of such notification. Denunciation shall take effect on the first day of September following notification, on condition that notification is given at least 12 months in advance.

2. A Contracting Party which denounces this Statute shall renounce any share in the assets of the School. The Board of Governors shall decide by a two-thirds majority what organisational measures are to be taken as a result of denunciation by any of the Contracting Parties.

3. If by unanimous decision of the Contracting Parties the School is to be wound up, the Board of Governors shall take such steps as it considers necessary, in particular as regards the distribution of the assets of the School.

ARTICLE 31

1. Any Government which has not signed this Statute may request to accede to it. Requests shall be communicated in writing to the Luxembourg Government, which shall inform each of the Contracting Parties.

2. The unanimous agreement of the Contracting Parties shall be required for the acceptance of any such request.

3. Once agreement has been obtained, accession shall take effect on the first day of September following the day on which the instruments of accession are deposited with the Luxembourg Government.

4. The composition of the Board of Governors and of the Boards of Inspectors shall then be altered accordingly.

ARTICLE 32

1. This Statute shall require ratification. The instruments of ratification shall be deposited with the Luxembourg Government, which shall inform all the other signatory Governments of the deposit.

2. The Statute shall enter into force on the day on which the fourth instrument of ratification is deposited.⁽¹⁾

This Statute, drawn up in a single original in the Dutch, French, German and Italian languages, shall be deposited in the archives of the Luxembourg Government, which shall transmit a certified copy to each of the Contracting Parties.

In witness whereof, the undersigned Plenipotentiaries have signed this Statute.

Done at Luxembourg this twelfth day of April in the year one thousand nine hundred and fifty-seven.

[For signatures, ratifications, accession and reservations, see page 23.]

⁽¹⁾ The Statute entered into force definitively on 22 February 1960.

ANNEX
TO THE STATUTE OF THE EUROPEAN SCHOOL LAYING DOWN
REGULATIONS FOR THE EUROPEAN BACCALAUREATE

The Parties to the Statute of the European School signed at Luxembourg on 12 April 1957,

Desirous of setting forth the details of the European Baccalaureate:

Have agreed upon the following provisions, which shall be annexed to the Statute in accordance with Article 5 (2) thereof:

ARTICLE 1

The European Baccalaureate shall be awarded in the name of the Board of Governors at the end of the seventh year of secondary studies at the European School to pupils who have passed the final examinations, details of which are set out below. It shall certify the completion of secondary studies at the European School in the manner determined by the Board of Governors.

ARTICLE 2

Pupils registered in each of the language sections of the School shall take the same examinations or equivalent examinations before an examining board the composition and functions of which are determined as set out below.

ARTICLE 3

The holding of the examination

As a general rule, the ordinary examination session shall take place each year on a date decided by the Board of Governors.

The Board of Governors may decide to hold an extraordinary session of the examination if pupils are unable, for reasons of *force majeure*, to be present at the ordinary session.

ARTICLE 4

Entry for the examination

Pupils who have without interruption completed not less than the two last years of secondary education in the European School may enter for the European Baccalaureate examinations.

The entry procedure and fees shall be determined by the Board of Governors.

Subject matter of the examinations

ARTICLE 5

1. The European Baccalaureate examination shall cover the subjects taught in the seventh school year in accordance with the syllabus for that year.

2. The examinations shall be both written and oral.

3. The examinations shall be marked on a scale ranging from 1 to 10, 10 being the highest mark. A weighting shall be given to each examination.

4. For a pass the pupil must have obtained:
a 60% average for all the subjects taken together; and
a minimum number of marks determined by the Board of
Governors for the essay in his mother tongue

ARTICLE 6

The written examination shall comprise:

1. For all sections, with a 2.5 weighting:
an essay in the pupil's mother tongue on a subject chosen by
the pupil from three given subjects.
2. In addition:
 - (a) for the Classics Department (Latin and Greek):
with a 2.5 weighting: a translation from Latin,
with a 2 weighting: a translation from Greek,
with a 2 weighting: a philosophy paper on a subject chosen by
the pupil from three given subjects,
with a 1.5 weighting: a mathematics paper,
with a 1.5 weighting: an essay or translation in the second
language.
 - (b) For the Latin and Science Department (Latin, mathematics and
science):
with a 2.5 weighting: a mathematics paper,
with a 2 weighting: a translation from Latin,
with a 1.5 weighting: a philosophy paper on a subject chosen
by the pupil from three given subjects,
with a 2 weighting: a physics paper,
with a 1.5 weighting: an essay or translation in the second
language.
 - (c) For the Modern Studies Department (mathematics, science and
modern languages):
with a 2.5 weighting: a mathematics paper,
with a 2 weighting: an essay or translation in the second language,
with a 1.5 weighting: a philosophy paper on a subject chosen
by the pupil from three given subjects,
with a 1.5 weighting: an essay in a third language,
with a 2 weighting: a physics paper.

ARTICLE 7

- (a) The oral examination shall comprise:
- (1) an interpretation of a literary text in the mother tongue,
 - (2) a *viva voce* discussion in the second language,
 - (3) two *viva voce* discussions on subjects which do not form part of the
written examinations, one on a science subject and the other on a
literary subject.

These discussions shall be based, as far as possible, on documentary or other material.

The subject matter of the discussions provided for in subparagraph (3) shall be determined by drawing lots at the beginning of the examination.

- (b) The oral examination shall be given the following weightings:
- (1) for all departments:
 - 2 for the mother tongue;
 - 2 for the second language;
 - (2) for the Classics Department:
 - 2·5 for literary subjects;
 - 1·5 for science subjects;
 - (3) for the Latin and Science Department and the Modern Studies Department:
 - 2·5 for science subjects;
 - 1·5 for literary subjects.

ARTICLE 8

- (a) For each pupil a statement of the marks awarded in each subject in the examinations of the first and second terms of the last school year shall be submitted to the Examining Board. Copies of the examination papers shall also be available to the Board. The aggregate results obtained by the pupils in these examinations in all subjects, including art and physical education, shall count for one third in the final average.
- (b) The Examining Board may in its deliberations take into consideration the pupils' marks during the whole school year.

Composition of the Examining Board

ARTICLE 9

- (1) The members of the Examining Board shall be appointed each year by the Board of Governors.
- (2) Together they shall constitute the sole Examining Board for the different language sections and departments of the secondary school.
- (3) Each of the Contracting Parties shall have as a general rule two but not more than three members on the Examining Board.
- (4) Members of the Examining Board shall be chosen for their particular qualifications in one or more subjects in the written and oral examinations. They must satisfy the conditions in their countries of origin governing the appointment of members of equivalent examining boards. They must know at least two of the languages in which instruction is given.
- (5) The Examining Board so constituted shall be presided by a person teaching in higher education, assisted by a member of the Board of Inspectors, both appointed by the Board of Governors.

ARTICLE 10

Each written or oral examination shall be assessed by two members of the Examining Board, assisted by the teacher of the School who has taught the examinee the subject, acting as a third examiner and having equal powers. These three examiners shall form an examining sub-committee.

ARTICLE 11

The Board of Governors shall determine, in addition to the travelling and subsistence expenses recoverable by the members of the Examining Board, the amount of the fee payable to them in respect of each day of their stay in the place where the School is situated during the examination period.

Conduct of the examinations

ARTICLE 12

The questions for the written examination shall be chosen by the Chairman of the Examining Board from subjects put forward by the members of the Board of Inspectors for the secondary school.

The questions chosen for the examinations shall be placed in a separate sealed envelope for each subject. These envelopes may only be opened in the room where the examination takes place immediately before the beginning of each examination.

The Chairman of the Examining Board shall take all measures necessary to ensure that the examination questions remain secret.

ARTICLE 13

By special decision of the Examining Board a pupil may, by way of exception and for duly ascertained physical reasons, be allowed to take a written examination instead of the oral examination or *vice versa*.

ARTICLE 14

The length of the written and oral examinations provided for in Articles 6 and 7 shall be determined by the Board of Governors.

ARTICLE 15

The written examination shall be conducted under continuous invigilation arranged by the Chairman of the Examining Board, assisted by the Headmaster of the School.

ARTICLE 16

The Chairman of the Examining Board may be present at any of the examinations. He may at any time during the examination convene the Examining Board to discuss any questions concerning the conduct of the examinations. He shall be authorised to deal with any points which may arise.

Deliberations of the Examining Board

ARTICLE 17

The members of the sub-committees responsible for the correction of the written examinations or for the holding of the oral examinations shall give marks for each test individually. After deliberation, the final mark for each test shall be derived from the arithmetic average of the marks awarded. These results shall then be transmitted to the Chairman of the Examining Board.

ARTICLE 18

(1) When the written and oral examinations are completed, the Chairman shall convene the Examining Board to discuss all the results. The Headmaster of the School shall take part in the discussion with the same powers as the members of the Examining Board.

(2) The marks obtained by each pupil in the different parts of the examination shall be aggregated, account being taken of the weightings for each subject.

(3) The different parts of the examination shall count towards the final mark in the following proportion:

- (a) A maximum of 100 marks for the aggregate mark for all end-of-term examinations, as defined in Article 8 (a);
- (b) A maximum of 120 marks for the aggregate mark for the written examination, as defined in Article 6;
- (c) A maximum of 80 marks for the aggregate mark for the oral examination, as defined in Article 7.

(4) Pupils who have satisfied the conditions relating to average marks in accordance with Article 5 (4) shall have passed the examination.

If a pupil has not obtained the minimum mark set for his mother tongue, he shall only be failed after the matter has been discussed by the Examining Board. After hearing the opinion of the teacher who taught the subject, the Examining Board may decide whether the pupil shall be failed, or sit a further examination forthwith. Any further examination shall take place before a special sub-committee under the chairmanship of the Chairman of the Examining Board or of his representative.

ARTICLE 19

A report shall be made on the conduct of the examinations and on the deliberations. It shall state the allotment of marks to each subject and the percentage mark awarded for the examinations as a whole. It shall be signed by the members present.

The Chairman of the Examining Board shall transmit a certified copy of the report to the appropriate national authorities.

ARTICLE 20

The members of the Examining Board shall not divulge anything which takes place during the examination proceedings or the deliberations.

The European Baccalaureate Certificate

ARTICLE 21

(1) Pupils who have passed the European Baccalaureate examination shall receive a certificate stating the percentage mark obtained in the examination. A list of the percentage marks obtained by the pupil in each individual subject shall be issued to him on his application.

(2) The certificate shall be signed by the Chairman of the Examining Board, by at least one member of each nationality and by the Headmaster of the School. It shall bear the seal of the School.

(3) The list annexed shall be signed by the Chairman of the Examining Board.

(4) The Headmaster may subsequently issue certified copies of the certificate.

Equivalence with national secondary school certificates

ARTICLE 22

(a) Pursuant to Article 5 (2) (a) and (b) of the Statute of the School, and having regard to Article 29 of the Statute, the European Baccalaureate shall, according to department, be equivalent to the following national diplomas or certificates:

For the Classics Department

In Germany:

Reifeprüfung des altsprachlichen Gymnasiums

In Belgium:

Le certificat homologué et le diplôme de sortie d'humanités anciennes de la section latin-grec

In France:

Le grade d'État de bachelier de l'Enseignement secondaire, dont les diplomas portent les mentions:

A—Philosophie

A—Sciences expérimentales

In Italy:

Diploma di maturità classica

In Luxembourg:

Certificat de fin d'études secondaires:
section gréco-latine et latine A

In the Netherlands:

Het eindexamen in de afdeling A van een gymnasium.

For the Science Department

In Germany:

Reifeprüfung des mathematisch-naturwissenschaftlichen Gymnasiums

In Belgium:

Le certificat homologué et le diplôme de sortie d'humanités anciennes de la section latin-mathématiques et latin-sciences

In France:

Le grade d'État de bachelier de l'Enseignement secondaire, dont les diplômes portent les mentions:

C—Sciences expérimentales

C—Mathématiques

In Italy:

Diploma di maturità scientifica

In Luxembourg:

Certificat de fin d'études secondaires:

section latine B

section latine C

In the Netherlands:

Het eindexamen in de afdeling B van een gymnasium

For the Modern Studies Department

In Germany:

Reifeprüfung des neusprachlichen Gymnasiums

In Belgium:

Le certificat homologué et le diplôme de sortie d'humanités modernes de la section scientifique

In France:

Le grade d'État de bachelier de l'Enseignement secondaire, dont les diplômes portent les mentions:

Moderne—Mathématiques

Moderne—Sciences expérimentales

In Italy:

Diplomi che danno accesso alle facoltà di Economia e Commercio nonchè ai corsi di laurea in Lingua e Letteratura straniera presso l'Istituto Superiore di Economia e Commercio e di Lingue et Letterature Straniere di Venezia, presso l'Istituto Orientale di Napoli e presso le Facoltà di Economia e Commercio

In Luxembourg:

Certificat de fin d'études secondaires:

Enseignement moderne, section industrielle

In the Netherlands:

Het eindexamen van een hogere burgerschool B

(b) The percentage mark obtained for the examinations as a whole will be equivalent to the individual countries' gradings as follows:

- 60% In Germany: no grading mentioned
In Belgium: "avec fruit"
In France: "passable"
In Italy
In Luxembourg
In the Netherlands } no grading mentioned
- 70% In Germany: no grading mentioned
In Belgium: "grand fruit"
In France: "assez bien"
In Italy
In Luxembourg
In the Netherlands } no grading mentioned
- 80% In Germany: no grading mentioned
In Belgium: "le plus grand fruit"
In France: "bien"
In Italy
In Luxembourg
In the Netherlands } no grading mentioned
- 90% In Germany: no grading mentioned
In Belgium: "le plus grand fruit"
In France: "très bien"
In Italy
In Luxembourg
In the Netherlands } no grading mentioned

(c) In the case of any alteration in the description of the diplomas, certificates or gradings valid in each country, the Contracting Parties undertake, each in so far as its own country is concerned, to provide for the equivalence of the European Baccalaureate Certificate with the diplomas, certificates and gradings resulting from new national provisions.

General provisions

ARTICLE 23

The Board of Governors shall adopt the measures necessary to implement and, where required, to supplement this document.

In witness whereof the duly empowered undersigned Plenipotentiaries have signed this Agreement.

Done at Luxembourg this fifteenth day of July in the year one thousand nine hundred and fifty-seven.

[For signatures, ratifications, accession and reservations, see page 23.]

PROTOCOL
ON THE SETTING-UP OF EUROPEAN SCHOOLS WITH
REFERENCE TO THE STATUTE OF THE EUROPEAN SCHOOL
SIGNED AT LUXEMBOURG ON 12 APRIL 1957

The Governments of the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, duly represented by:

Baron François de Selys-Longchamps, Ambassador Extraordinary and Plenipotentiary of Belgium at Luxembourg;

Mr. Bernd Mumm von Schwarzenstein, Ambassador Extraordinary and Plenipotentiary of the Federal Republic of Germany at Luxembourg;

Mr. Edouard-Félix Guyon, Ambassador Extraordinary and Plenipotentiary of France at Luxembourg;

Mr. Giorgio Bombassei Frascani de Vettor, Ambassador Extraordinary and Plenipotentiary of Italy at Luxembourg;

Mr. Eugène Schaus, Minister for Foreign Affairs of the Grand Duchy of Luxembourg and

Mr. Emile Schaus, Minister for National Education of the Grand Duchy of Luxembourg;

Jonkheer Otto Reuchlin, Ambassador Extraordinary and Plenipotentiary of the Netherlands at Luxembourg.

Considering the Statute of the European School, signed at Luxembourg on 12 April 1957, and the Annex to the Statute of the European School laying down Regulations for the European Baccalaureate, signed at Luxembourg on 15 July 1957;

Considering the success of this experiment of educating and instructing children of different nationalities together on the basis of a common syllabus;

Considering the cultural interest which the participating States have in broadening the basis of a project which accords with the spirit of co-operation with which they are imbued;

Considering that it is desirable to repeat the experiment of the European School in other places;

Have agreed and decided as follows:

ARTICLE 1

For the education and instruction together of children of the staff of the European Communities, establishments bearing the name "European School" may be set up on the territory of the Contracting Parties.

Other children, irrespective of their nationality, may also be admitted to them.

These establishments shall, subject to the following Articles, be governed by the provisions of the Statute of the European School, signed at Luxembourg on 12 April 1957, and of the Regulations for the European Baccalaureate signed at Luxembourg on 15 July 1957.

ARTICLE 2

The Board of Governors shall decide unanimously on the setting up of new European Schools and shall determine where they shall be situated.

ARTICLE 3

The powers conferred by the Statute of the European School on the Board of Governors, on the Boards of Inspectors and on the Representative of the Board of Governors—the Chairman of the Administrative Board—shall be extended to any School set up in accordance with Article 1.

Each School shall have separate legal personality in accordance with Article 6 of the Statute of the European School.

Each School shall have its own Administrative Board and its Headmaster.

ARTICLE 4

The Board of Governors may conclude any agreement concerning the establishments thus set up with the European Communities and with any other intergovernmental organisations or institutions which, by reason of their location, are interested in the operation of these establishments. They shall then have a seat and a vote on the Board of Governors on all matters regarding the establishment in question and a seat on the Administrative Board of the establishment.

Any decision taken by a qualified majority in accordance with Article 10 of the Statute of the European School shall, however, be valid only if it has the approval of two thirds of the representatives of the Contracting Parties.

All decisions concerning the financing of an establishment shall be taken unanimously by the Parties represented on the Board of Governors.

ARTICLE 5

The Board of Governors may also conclude agreements with organisations or institutions governed by private law which are, by reason of their location, interested in the operation of a European School set up pursuant to this Protocol.

The Board of Governors may grant them a seat on the Administrative Board of the establishment in question.

ARTICLE 6

The financial year of each School shall correspond to the calendar year.

ARTICLE 7

In budgetary matters, by way of derogation from Article 13 of the Statute of the European School, the Board of Governors shall approve the draft budget and the accounts, in so far as they concern it, and transmit them to the appropriate authorities of the European Communities.

ARTICLE 8

The Government of any country where a School is situated, in accordance with Article 2 above, shall be entitled to make reservations as provided for in Article 29 of the Statute of the European School.

ARTICLE 9

This Protocol shall require ratification. The instruments of ratification shall be deposited with the Luxembourg Government, as depositary of the Statute of the European School. That Government shall inform all the other signatory Governments of the deposit.

This Protocol shall enter into force on the day on which the fourth instrument of ratification is deposited.⁽²⁾

This Protocol, drawn up in a single original in the Dutch, French, German and Italian Languages, all four texts being equally authentic, shall be deposited in the archives of the Luxembourg Government, which shall transmit a certified copy to each of the Contracting Parties.

In witness whereof, the duly empowered undersigned Plenipotentiaries have signed this Protocol.

Done at Luxembourg this thirteenth day of April in the year one thousand nine hundred and sixty-two.

[For signatures, ratifications, accession and reservations, see page 23.]

⁽²⁾ The Protocol entered into force definitively on 12 June 1970.

SIGNATURES AND RATIFICATIONS OF THE STATUTE

<i>Signatory Government</i>	<i>Date of deposit of ratification</i>
Belgium	11 March 1959
France	14 May 1959
Germany, Federal Republic of	2 December 1965
Italy	22 February 1960
Luxembourg ⁽³⁾	20 November 1959
Netherlands	19 May 1960

SIGNATURES AND RATIFICATIONS OF THE PROTOCOL

<i>Signatory Government</i>	<i>Date of deposit of ratification</i>
Belgium	16 July 1970
France	12 June 1970
Germany, Federal Republic of	21 June 1969
Italy	21 October 1964
Luxembourg	5 April 1963
Netherlands	

ACCESSION TO THE STATUTE AS COMPLETED BY THE PROTOCOL

<i>Government of</i>	<i>Date of deposit of accession</i>
United Kingdom	30 August 1972

⁽³⁾ In a Protocol of Signature to the Statute the signatory Governments took note of the following declarations made by Luxembourg in accordance with Article 29:

- (1) The admittance of children of Luxembourg nationals to the primary level of the European School will be subject to the provisions of Luxembourg law concerning the organisation of primary education, without prejudice to any exceptions which may be granted by the Luxembourg Government in the case of children of Luxembourg nationals not having or not having had their habitual residence in the Grand Duchy of Luxembourg.
- (2) The equivalence of the European Baccalaureate with regard to Luxembourg nationals will be recognised by the Central Government of Luxembourg within limits to be determined pursuant to the Law of 13 December 1954, concerning the approval of the Convention signed in Paris on 11 December 1953, on the equivalence of diplomas entitling a person to study in university establishments, without prejudice to any other agreement which may be reached in the Board of Governors of the European School.

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