



Alliance Française

Charter of the Alliance Française

ENGLISH (UK) TRANSLATION

PREAMBLE

The international Alliance Française network is comprised of the individual Alliance Françaises operating all around the world and the Fondation Alliance Française in Paris, at the head of the network.

The Alliance Française is an apolitical and non-denominational movement founded in 1883. Faithful to the humanist tradition of its founders, the Alliance Française seeks through dialogue between cultures to improve understanding between the peoples of the world and to foster a spirit of cooperation based on solidarity and mutual respect.

The Alliance Française considers education and culture to be essential vehicles for the emancipation of the citizens of the world. Therefore, faithful to its origins and principles, mindful of present-day challenges and of the changing world in which it operates, the Alliance Française seeks to teach the French language, to organise cultural events, to organise activities promoting civic, social and environmental responsibility, to bring together the friends of France beyond its borders, and to promote French and Francophone cultures. The Alliance Française relies on the voluntary commitment of its members all around the world, who defend these values with enthusiasm and devotion.

The Fondation Alliance Française is the sole owner of the “Alliance Française” trademark and logo. It alone is authorised to award the right of use thereof. It is responsible for the promotion, the defence and the protection of this trademark. Each Alliance Française, in carrying out its functions, is responsible for the image and outreach of the trademark.

CHAPTER I THE ALLIANCES FRANÇAISES

ARTICLE 1 - CHARACTERISTICS AND GOALS

The Alliance Française member associations (hereafter the Alliances Françaises) are non-profit, autonomous associations governed by local law, and members of an international network which subscribes to the ideals and principles set out in the present Charter ; the Fondation Alliance Française is the governing body responsible for this Charter.

The Alliances Françaises are administered by volunteers in their host town or country.

The Alliances Françaises may open subsidiary branches in order to expand their outreach and develop their activities, but must remain strictly within the town or territorial limits defined when they were founded.

The Alliances Françaises seek to offer the following, to the general public :

- French language courses and, where appropriate, courses in the language(s) of the host country ;
- Cultural activities and documentary resources pertaining to France, Francophone countries and the International Organisation of La Francophonie; but also, in order to foster intercultural exchange, cultural events which celebrate the local culture ;
- Language-study programmes in France or French-speaking countries ;
- Activities designed to raise awareness of general civic, social and environmental responsibilities.

§ 1. As per the terms of the Framework Agreement which unites the Fondation Alliance Française and the French Ministry of Europe and External Affairs, an Alliance Française located abroad may, if the circumstances so warrant, enter into a partnership agreement with the Embassy of France in order to develop cooperative projects within its usual field of activity. A partnership may also be developed with any other local or French partner.

§ 2. Each Alliance Française has a duty to communicate its achievements to the Fondation and to report annually on its activities, by completing the questionnaire distributed by the Fondation within the agreed timeframe.

§ 3. The Alliances Françaises in France, with the support of the Fondation Alliance Française and the global network, focus mainly on developing the knowledge of French language and culture of foreign visitors undertaking a language study programme in France. These Alliances Françaises, like their counterparts in other countries, are autonomous and assume legal and financial responsibility for their activities.

§ 4. Several Alliances Françaises operating in the same country or region may decide to undertake a level of collective organisation so as to develop a spirit of cooperation and solidarity and to optimise their activities. The role of the Délégué Général (hereafter Delegate General) is to coordinate this common action and to represent the Fondation Alliance Française (See Article 8).

ARTICLE 2 - GOVERNANCE

Every Alliance Française operates under the authority of a Board of Directors (Governing Body) elected during a General Assembly. Members of this Governing Body must be members of the association, and should be representative of the local civil society, likely to enhance the influence and the development of the institution, and/or be able to contribute a specific skill to the institution.

The gradual and regular renewal of members of the Governing Body is a basic principle of good governance. Therefore, the Fondation Alliance Française has inscribed within the core documents of the Alliance Française, i.e. the Charter of the Alliance Française, the Model Statutes and the Quality Control Guidelines, the principle of limitation of duration of board membership and number of successive mandates allowable, for each and any role within the Board.

§ 1. The members of the Governing Body of each Alliance Française are solely responsible, both legally and morally, for the association. Delegation of powers may be granted to the Director.

§ 2. In order to avoid any conflict of interest, no member of the Governing Body or person related to the members of the Governing Body may :

- Sell or buy the association's property or derive any profit from it ;
- Be employed by or receive any remuneration from the association ;
- Receive any payment for services provided in the exercise of their own profession, or for any in-house job or service provided. Therefore, no employee of the Alliance may be a member of the Governing Body.

§ 3. In order to avoid any conflict of interest or conflict of loyalties, members of the Governing Body :

- Must declare the nature and extent of any interest, direct or indirect, that they have in the association's transactions or agreements, or in any transaction or agreement previously concluded with the association ;
- May not attend any discussion of the Governing Body that could place them in a situation of conflict of interest.

§ 4. In the interests of developing good governance and ensuring the sustainability of the association, members of the Governing Body should respect the division of roles between the Governing Body, its Chairperson, and the Director.

ARTICLE 3 - THE DIRECTOR

Alliances Françaises should be managed in a manner consistent with the principles of ethical management of non-profit associations and of good governance.

Where warranted, an Alliance Française outside France may be provided with human and/or financial resources by the French Ministry of Europe and External Affairs as part of a partnership agreement. Personnel thus made available receive a letter of engagement specifying their rights, duties and responsibilities in respect of the Governing Body, the departments of the Embassy of France and, where applicable, the Delegate General of the Fondation Alliance Française.

§ 1. The Director of an Alliance Française, acting on powers delegated by the Governing Body, is responsible for the executive management of the institution. S/he contributes to discussions with the Governing Body regarding the prospects for the institution. S/he prepares a project for the development of the institution, in conjunction with the Governing Body. After this project has been approved by the Governing Body, s/he is entrusted with its implementation as a part of the executive management of the institution, for which s/he is responsible.

§ 2. The Director reports to the Chairperson of the Governing Body and to the Governing Body. S/he shall, where applicable, communicate with the Fondation's Delegate General, who is the intermediary between the Fondation and the Director. If there is no Delegate General, the Director should maintain direct contact with the Embassy and the Fondation. In addition to the administrative, pedagogical and cultural management of the Alliance Française to which s/he is assigned, the Director may contribute to the activities of the network of Alliances in the country, on the basis of any particular training or experience that may be of benefit.

ARTICLE 4 - COMMUNITY VITALITY

In order to stimulate and promote the vitality of the association, members of the Governing Body and the Director are encouraged to :

- Raise awareness of the association's values ;
- Identify local prominent Francophiles who could use their influence and/or their expertise to help the association on a voluntary basis, and invite them to take an interest in the activities of the Alliance Française and then to become members of the organization ;
- Organise, alongside their Alliance's cultural activities, regular meetings of friends of the Alliance Française, including full members and potential members, so as to speak about how the Alliance Française operates and to generate interest in membership and volunteering ;
- Invite members of the association to meetings where the Alliance is discussed, so that they can participate in the life of the community ;
- Implement a special policy for members of the association, which may include the hosting of private events, or reserving special treatment during events held at the Alliance Française.

CHAPTER II THE FONDATION ALLIANCE FRANÇAISE

ARTICLE 5 - ADMINISTRATIVE STRUCTURE AND GOALS

The Fondation Alliance Française was founded by a decree dated 23 July 2007. It is recognised as operating in the public interest. Statutorily, and since its inception, it is sole owner of the “Alliance Française” trademark, for which it is responsible.

The Fondation, continuing the work initiated at the end of the 19th century, has the following goals :

- Developing the teaching and use of the French language around the world ;
- Contributing to the expansion of France’s intellectual and moral influence and developing interest in all Francophone cultures ;
- Creating conditions favourable to cross-cultural exchange and, in general, contributing to a flourishing cultural diversity.

The Fondation’s role is to :

- Through dialogue with the international movement, devise and suggest broad directions for its development ;
- While respecting the uniqueness of each locality, monitor coherence and unity of ideals and goals within the movement ;
- Coordinate all the Alliances Françaises throughout the world, by providing them with support and advice ;
- Help the Alliances to develop and improve the quality of their activities ;
- Promote and develop the image of the Alliances Françaises and help them to adapt to the demands of the contemporary world.

It is managed by a Board of Directors whose Honorary President is the President of the French Republic.

ARTICLE 6 - THE “ALLIANCE FRANÇAISE” TRADEMARK

The “Alliance Française” trademark is the embodiment of the worldwide Alliance Française network. It symbolises membership of this network for each Alliance to which it has been awarded.

The Fondation Alliance Française is the sole owner of the “Alliance Française” trademark. It alone is authorised to grant or revoke the right to use this trademark.

For an Alliance to be recognised as such, and to obtain accreditation to use the “Alliance Française” trademark, the Board of Directors of the Fondation Alliance Française must first approve the file constituted and sent to them by the Alliance as per the “Procedures required to create an Alliance Française”.

§ 1. The Model Statutes of an Alliance Française :

The administrative structure and organisational model for the Alliances Françaises are based on the French law dated 1 July 1901. This has been transformed by the Fondation Alliance Française into Model Statutes which can be adapted to local legislation.

The Fondation Alliance Française encourages the Alliances Françaises to update their statutes every 10 years. However, before any new statutes are agreed by the General Assembly of the association, these must first receive the approval of the Fondation Alliance Française. The association must, under all circumstances, ensure that the following basic principles are respected :

- The administrative structure and goals ;
- The voluntary basis under which the governing body operates ;
- The limitation of duration and number of terms which may be served by members of the governing body ;
- The use of the trademark in accordance with the authorisation for its use granted by the Fondation Alliance Française, as set forth in this Charter.

§ 2. Authorisation to use the “Alliance Française” trademark :

Accreditation granted by the Fondation Alliance Française to an Alliance Française gives it the right to use the trademark and logo for a five (5) year period, renewable by tacit agreement.

The Fondation reserves the right to review an accreditation with the “Alliance Française” trademark and may decide to revoke it from an association if :

- The association is no longer active ;
- Its activities no longer correspond to the principles, objectives and goals of the network, as defined in this Charter, in the Model Statutes, and in the particular statutes of the association in question ;
- Its activities could damage the image of the network.

An Alliance Française may decide to withdraw from the network. If it does, it must declare its dissolution as set out in its statutes. Upon dissolution, an Alliance Française shall automatically lose the right to use the “Alliance Française” trademark. It is the responsibility of the Alliance Française to take the necessary administrative steps with the local authorities. The Fondation Alliance Française shall communicate its decision to whomsoever it may concern.

Each and every Alliance Française acknowledges that the “Alliance Française” trademark belongs to the Fondation Alliance Française, and that it should under no circumstances file a trademark application in its own name. Where a trademark application has been filed by an Alliance Française, it shall expressly undertake to transfer ownership of the same to the Fondation Alliance Française.

Each and every Alliance Française undertakes to report to the Fondation Alliance Française, by means of a letter sent by registered post and signed for on delivery, any trademark infringements that may have come to its notice. The Fondation Alliance Française shall undertake at its own expense, and with technical assistance from the Alliance Française in question, any action against the infringer which the Fondation deems necessary. The financial damages/compensation resulting from this action shall be borne exclusively by or exclusively benefit the Fondation Alliance Française. The Alliance Française in question may, however, if it opts so to do, become party to the action undertaken by the Fondation Alliance Française. In this case, each party will bear/receive the damages/compensation as allocated by the court.

An Alliance Française may only engage such an action with the explicit approval of the Fondation Alliance Française.

Membership of the Alliance Française network is indissociably linked to the right to use the “Alliance Française” trademark in accordance with the stipulations set forth in this Charter. Committing to this Charter, abiding by statutes for governance that conform to the Model Statutes, operating within the Quality Control Guidelines, and conforming to the Graphic Charter are necessary and mandatory conditions for this.

§ 3. The Quality Control Guidelines :

In the Quality Control Guidelines, which are a means to bring about the modernisation of the Alliances Françaises, over 200 performance indicators are identified. These Guidelines provide a framework for best practice which each Alliance Française should use to inform the operation of its activities and its general organisation in order to guarantee the quality of its services. It is a truly useful management tool which enables each Alliance to analyse its own procedures and to develop a process of continuous improvement.

§ 4. The Graphic Charter :

The “Alliance Française” trademark is projected and disseminated by the Alliances Françaises through a logo and a visual identity which may both only be modified and adapted according to the specific rules defined in the Graphic Charter by the Fondation Alliance Française. All the Alliances Françaises are required to conform to this Graphic Charter in all respects, whatever the specifics of the communicational or cultural context, or the communicative medium.

Moreover, this visual identity as described in the Graphic Charter may be used solely by Alliances Françaises, and by no other organisation.

ARTICLE 7 - THE ACTIVITIES OF THE FONDATION

In order to achieve its goals defined above, the Fondation Alliance Française :

- Maintains a regulatory function for the institution (e.g. explores the potential for new Alliances Françaises, studies the project files for new Alliances Françaises, regularly updates the Model Statutes ; studies the statutes of the Alliances Françaises; develops and publishes joint documents useful to the network, reviews the files for the withdrawal of the trademark from an existing Alliance Française; reviews annually the main network performance indicators) ;
- Leads the international network (e.g. assigns mandates to the Delegate Generals; examines and monitors projects for the development of the institutions, and annual activity and end of assignment reports presented by the directors that it has assigned; organises regular network meetings in Paris or abroad; arranges annual meetings in Paris with members of Alliance Française Governing Bodies ; transmits information to the network’s diplomatic officials ; meets regularly with the Ministry of Europe and External Affairs to discuss issues which have an impact on the network ; in conjunction with the Ministry, selects expatriate staff for postings at Alliances Françaises ; promotes the exchange and sharing of information and experiences between Alliances Françaises ; highlights the activities of the network and communicates its achievements, using the annual questionnaire, which should be completed as rigorously as possible by the Alliances Françaises) ;

- Offers advice and support (e.g. organises assessment visits, event sponsorship and network support, such as support with the Quality Control Guidelines, etc. ; organises a short training course for newly appointed directors ; provides up-to-date documentation for new directors ; funds projects from within the network ; ensures that a programme for professionalization has been created and is being implemented; promotes a “quality approach” through a set of Quality Control Guidelines, professional training and the provision of expertise and advice ; interacts with French, European and international institutions and with commercial enterprises to create partnerships in the general interest of the network) ;
- Suggests projects to the network (e.g. hosts cultural productions in Paris ; develops and transmits suggestions for cultural activities to the Alliances Françaises, in particular activities developed through partnerships ; communicates information about cultural activities that could be of interest to the network).

ARTICLE 8 - THE DELEGATE GENERAL

The Fondation Alliance Française can give a mandate to a Delegate General, who will then be designated as “Delegate General of the Fondation Alliance Française in China, Brazil, and the United States, etc.”, to be its representative for the Alliances Françaises of a certain country or region. The Delegate General is, as a rule, a seconded official or a contractual official of the Ministry of Europe and External Affairs, assigned to the post of Director of an Alliance or Chargé de Mission. S/he operates under the authority of the Ambassador as an official of the Ministry, but nevertheless has a certain independence of action as Delegate General of the Fondation Alliance Française, to which s/he reports. Since s/he does not have legal or moral personality, s/he is not allowed in this capacity to sign binding documents such as employment contracts, leases or loans.

The mandate of the Delegate General comprises, within the designated geographical area, the following core responsibilities :

- Representing the Fondation Alliance Française before the local Alliances Françaises, before the Alliance Française Federation, if there is one in operation in his/her designated geographical area, before the Embassy of France, and before partners and local authorities ;
- As such, s/he has in particular a supervisory role regarding e.g. the ethical operation of the Alliances Françaises, the conformity of their statutes, their compliance with local legislation and the reliability of the reports received pertaining to the use of subsidies ;
- Coordinating the local network in areas such as: the activities and image of the network, communication, training, touring cultural events (e.g. musicians, plays, exhibitions), national meetings, follow-up of grant applications, examining requirements in terms of personnel, raising awareness among the Alliances Françaises of the support programmes offered by the Ministry, the Institut Français and the Fondation ;
- Providing advice to the Alliances Françaises: e.g. administrative, pedagogical and cultural support ;
- Promoting network development: examining potential for new Alliances Françaises (in conjunction with the Embassy), overseeing the constitution of new Alliances Françaises (Boards of Directors / Governing Bodies, statutes, premises, etc.), promotion of the Fondation’s quality approach, seeking out partnerships, fundraising.

At the request of the Fondation, the Delegate General regularly compiles strategic notes on the designated geographic area.

ARTICLE 9 - CHANGES TO THE CHARTER

The Charter may be revised at any time, by means of the addition of an amendment to it. This modified Charter shall then be communicated to each Alliance Française and the members of the Governing Bodies in order to be signed by them.

ARTICLE 10 - BREACH OF THE PROVISIONS OF THE CHARTER

An Alliance Française which is in breach of any of the provisions of this Charter shall be held responsible and may be subject to a warning, the limitation or suspension of the right to use the “Alliance Française” trademark, or the withdrawal of its Alliance Française accreditation.

ARTICLE 11 - APPLICABLE LAW - SETTLEMENT OF DISPUTES

This Charter is enforced and interpreted in accordance with French law.

Disagreements or legal disputes which may arise relative to the validity, the interpretation, the fulfilment or non-fulfilment of this Charter shall be submitted to mediation under articles 131-1 to 131-15 of the French Code of Civil Procedure.

The party wishing to implement the mediation process should notify the Fondation Alliance Française by means of a registered letter signed for on delivery, which sets out all elements material to the dispute and suggests the name of a mediator (a natural or legal entity).

The mediator is chosen by common agreement between the parties. S/he should be qualified, independent and impartial. Where the parties cannot agree on the choice of a mediator, either party may request that the presiding judge of the Tribunal de Grande Instance in Paris should nominate one.

The parties agree to participate in at least one mediation meeting.

During mediation, the parties shall abstain from taking legal action against each other. The only legal actions allowable are those that pertain to the preservation of evidence or the precautionary protection of a right.

The mediator’s fees and the administrative expenses pertaining to mediation shall be borne equally by each of the parties to the mediation.

Where the dispute cannot be resolved through mediation, the parties agree that any disagreement or legal action which may arise between them regarding the validity, interpretation or performance of this Charter, will be submitted exclusively to the authority of the courts in Paris.

