

No. 3944

**UNITED STATES OF AMERICA
and
POLAND**

**Agreement on settlement for lend-lease and certain claims.
Signed at Washington, on 28 June 1956**

Official texts: English and Polish.

Registered by the United States of America on 25 July 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
POLOGNE**

**Accord portant règlement en matière de prêt-bail et de
certaines créances. Signé à Washington, le 28 juin
1956**

Textes officiels anglais et polonais.

Enregistré par les États-Unis d'Amérique le 25 juillet 1957.

No. 3944. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC ON SETTLEMENT FOR LEND-LEASE AND CERTAIN CLAIMS. SIGNED AT WASHINGTON, ON 28 JUNE 1956

The Government of the United States of America and the Government of the Polish People's Republic have reached agreement as set forth below regarding settlement for lend-lease and for certain financial claims arising as a result of World War II. Both Governments, in arriving at this settlement, have taken full cognizance of the benefits already received by them in the defeat of their common enemies, and of the aid furnished by each Government to the other in the course of the war.

1. *Definition*

The term "lend-lease article" as used in this Agreement means any article transferred by the Government of the United States of America under the Act of March 11, 1941,

- (a) to the Government of Poland, or
- (b) to any other government and retransferred to the Government of Poland.

2. *Lend-Lease*

(a) *Transfer of Title.* Except as otherwise provided in this paragraph 2, the Government of Poland receives full title to lend-lease articles in its possession.

(b) *Right of Recapture.* The Government of the United States of America reserves the right of recapture of lend-lease articles held by the Government of Poland of types essentially or exclusively for use in war or warlike exercises, if any, but has indicated that it does not intend to exercise generally this right of recapture. The Government of Poland agrees that such articles held by it, if any, will be used only for purposes compatible with the principles of international security and welfare set forth in the Charter of the United Nations.

(c) *Waiver of Payment.* Except as provided in this Agreement, the Government of Poland will make no further payment to the Government of the United States of America for lend-lease articles.

¹ Came into force on 28 June 1956, upon signature, in accordance with paragraph 6.

(d) *Restrictions on Disposal.* Disposals of lend-lease articles of types essentially or exclusively for use in war or war-like exercises, if any, and disposals of other types of lend-lease articles except for use in Polish territory, will be made only with the consent of the Government of the United States of America. All net proceeds of disposals requiring such consent will be paid to the Government of the United States of America.

3. *Claims*

(a) The Government of Poland waives all its financial claims against the Government of the United States of America, except those in which liability has heretofore been acknowledged and the method of computation agreed upon, which (1) arose out of lend-lease or reciprocal aid or (2) arose from maritime incidents incidental to the conduct of war.

(b) The Government of Poland will process the claims described in the following subparagraphs (1) and (2) and will discharge the liability with respect thereto of the United States of America and of the individuals, firms, and corporations against whom such claims are asserted :

(1) *Patent Claims.* Claims of residents of Poland against the Government of the United States of America, its contractors and subcontractors, for royalties under contracts for the use of inventions, patented or unpatented, or for the infringement of patent rights, in connection with war production carried on or contracted for on or after September 1, 1939 and prior to September 2, 1945 by the United States Government, its contractors or subcontractors.

(2) *Requisition Claims.* Claims of residents of Poland against the Government of the United States of America arising out of the requisitioning for use in the war program of property located in the United States of America in which the claimant asserts an interest.

4. *Payment*

The Government of Poland will pay to the Government of the United States of America the net sum of US dollars 110,000 within ten days after this Agreement has been signed. This amount is in payment for all lend-lease articles to which title is received by the Government of Poland pursuant to paragraph 2 of this Agreement.

5. *Other Claims Reserved*

This Agreement does not affect claims or negotiations except those arising out of lend-lease or otherwise specifically disposed of by this Agreement.

6. *Effective Date*

This Agreement shall be effective upon signature.

DONE in duplicate at Washington, this twenty-eighth day of June, 1956, in the English and Polish languages, both texts being equally authentic.

For the Government of the United States of America :

Herbert V. PROCHNOW

Deputy Under Secretary of State for Economic Affairs

For the Government of the Polish People's Republic :

SPASOWSKI Romuald

Ambassador Extraordinary and Plenipotentiary
of the Polish People's Republic in Washington