

No. 13783

**FINLAND
and
POLAND**

**Agreement on economic, industrial, scientific and technical
co-operation (with annexes and exchange of letters).
Signed at Helsinki on 30 January 1974**

Authentic texts: Finnish, Polish and English.

Registered by Finland on 10 March 1975.

**FINLANDE
et
POLOGNE**

**Accord relatif à la coopération économique, industrielle,
scientifique et technique (avec annexes et échange
de lettres). Signé à Helsinki le 30 janvier 1974**

Textes authentiques : finnois, polonais et anglais.

Enregistré par la Finlande le 10 mars 1975.

AGREEMENT¹ ON ECONOMIC, INDUSTRIAL, SCIENTIFIC AND TECHNICAL CO-OPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF FINLAND AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC

The Government of the Republic of Finland and the Government of Polish People's Republic

desirous of strengthening the friendly relations between the two countries;

confirming their interest in supporting and facilitating the continued development and strengthening of economic, industrial, scientific and technical co-operation between the two countries to their mutual advantage;

recognising the great significance of such co-operation and desiring to create the most appropriate conditions for its development and to make use of the possibilities which are created by the economic development of both countries;

recalling the Long Term Trade Agreement signed in Helsinki on 4 December, 1970 and the participation of the Contracting Parties in the General Agreement on Tariffs and Trade;²

recalling the Agreement between the Government of the Republic of Finland and the Government of the Polish People's Republic concerning the exchange of trainees, signed in Helsinki on 18 December, 1963;³

recognising the value of undertaking long-term measures, aimed at the creation of firm and lasting perspectives for co-operation;

have agreed as follows:

Article 1. The Contracting Parties, having regard to their participation in the General Agreement of Tariffs and Trade and to the Most Favoured Nation treatment granted to each other shall create appropriate conditions for a dynamic and harmonious development of economic, industrial, scientific and technical co-operation. To this end they shall facilitate the access of institutions, organisations and enterprises of the other country to their respective markets.

Article 2. The Contracting Parties shall define the fields in which they consider the broadening of co-operation to be useful. They recognize that possibilities for co-operation should be explored and utilized *i.a.* in the following fields:

- power producing industry;
- metal and engineering industries, *i.a.* mining industry, metallurgical industry, woodworking machinery, lifting and handling equipment, installations for environmental protection;
- forestry and woodworking industry;
- chemical industry;
- light industry (including food processing industry);
- agriculture.

¹ Came into force on 11 December 1974, *i.e.* 30 days after the date of the exchange of notes confirming that the constitutional requirements of the Contracting Parties had been complied with, in accordance with article 9.

² United Nations, *Treaty Series*, vol. 55, p. 187.

³ *Ibid.*, vol. 486, p. 57.

The Contracting Parties will endeavour to encourage, promote and facilitate co-operation between interested institutions, organisations and enterprises in the two countries, *i.a.*:

- a) direct contacts between enterprises and institutions;
- b) joint feasibility studies, planning and implementations of projects of common interest;
- c) joint research and development of new technological processes;
- d) joint treatment of problems within applied science with a view to application of the results in industrial production;
- e) arrangement of conferences and exhibitions;
- f) exchange of specialists and trainees in the fields covered by this Agreement;
- g) exchange of technical documentation, information and know-how;
- h) protection of natural environment.

Article 3. The Contracting Parties confirm their interest in the development of all forms of co-operation in the fields of industry, technology and science and shall encourage and support the undertaking of such co-operation which aims at utilizing possibilities in the sphere of co-production, marketing and market research techniques. In this connection the Contracting Parties shall encourage the conclusion of long-term arrangements aimed at establishing lasting co-operative links between institutions, organisations and enterprises in the two countries.

Taking into consideration that Poland is a large scale producer and exporter, and Finland a large scale importer of coal from Poland, the Contracting Parties shall support and initiate co-operation in this field between institutions, organisations and enterprises in order to expand trade in coal between Finland and Poland.

Various forms of industrial co-operation and transactions resulting from this co-operation which, among other, can be utilized to fulfil the objectives of this Agreement, are listed in annex I which is an integral part of this Agreement.

Article 4. To ensure appropriate conditions for the establishment of co-operative undertakings, the Contracting Parties shall, on the basis of the capacities and experience of the institutions, organisations and enterprises concerned, facilitate the application of various forms of co-operation within the territories of both countries and the creation of mixed enterprises in third countries.

Article 5. The Contracting Parties confirm their willingness to facilitate the widest possible utilization by institutions, organisations and enterprises in the two countries of the possibilities provided for in long term plans and economic programmes of the two countries.

With due consideration to the specific features of such plans and programmes the respective institutions and organisations of both countries will seek to establish mutual contacts in order to improve their acquaintance with planning and programming targets and methods thus contributing to arrangements leading to closer ties between the economies of the two countries.

Article 6. The Contracting Parties establish a Joint Commission on economic, industrial, scientific and technical co-operation consisting of representatives of the two Governments.

The Joint Commission shall:

- supervise the implementation of this Agreement and to that end conduct periodic analyses of the development of economic, industrial, scientific and technical co-operation;

- coordinate the economic, industrial, scientific and technical co-operation between the two countries;
- examine the programmes and proposals presented by the Contracting Parties, aimed at supporting and developing the economic, industrial, scientific and technical co-operation between the two countries;
- make recommendations for measures to be taken for the successful implementation of this Agreement, including questions referred to in article 7.

The Rules of Procedure of the Joint Commission are annexed to this Agreement as annex II.

Article 7. To facilitate transactions resulting from agreed co-operative undertakings the Contracting Parties accord to each other the most favourable treatment within the framework of existing laws, regulations and international obligations with respect to:

- a) customs duties and charges of any kind imposed on or in connection with importation and exportation;
- b) the method of levying duties or charges, and
- c) rules, formalities and charges connected with the clearance of goods through customs.

Article 8. The Contracting Parties are aware of the significance of appropriate financing conditions for establishment of investment and co-operative undertakings. They point out that the aims of this Agreement should be taken into consideration in the relevant financial and credit arrangements which will be concluded between financial and banking institutions, in order to ensure that the most favourable credit conditions possible may be made available for such undertakings.

Article 9. This Agreement shall be in force for a period of 10 years. Thereafter it shall remain in force subject to the right of either Contracting Party to give at any time six months' written notice of termination.

This Agreement shall enter into force on the 30th day after an exchange of notes confirming that the constitutional requirements of the Contracting Parties for the entry into force of this Agreement have been complied with.

This Agreement shall replace the Protocol relating to industrial co-operation attached to the Long-Term Trade Agreement signed in Helsinki on 4 December, 1970 between the Republic of Finland and the Polish People's Republic. The replacement shall have no effect on the agreements and arrangements between institutions, organisations and enterprises made under that Protocol.

The expiration of this Agreement shall have no effect on the validity and implementation of arrangements and contracts concluded between institutions, organisations and enterprises in the two countries.

DONE in Helsinki on 30 January, 1974 in three original copies in the Polish, Finnish and English languages, each of the the texts being equally authentic. In case any difference in interpretation should arise, the English text is the decisive one.

By Authorization of the Government
of the Republic of Finland:

JERMU LAINE

By Authorization of the Government
of the Polish People's Republic:

TADEUSZ OLECHOWSKI

A N N E X I

Various forms of industrial co-operation and operation and transactions resulting from this co-operation:

Exchange of parts and sub-assemblies of machines and equipment for the purpose of joint production and sales of an end product, possibly under a common trade mark, in the two countries or on third markets.

Delivery of assemblies or individual parts produced by one of the partners on the basis of licences, technical specifications and drawings provided by the other partner.

Transactions regarding the processing or assembling by one partner of materials or parts provided by the other partner.

Exchange of experience in the field of standardization and quality of production, organisation of work, introduction of inventions, innovations and technical improvements to the production process.

Exchange or transfer of licences and technological know-how as well as improvements to them on terms agreed upon by the interested institutions, organisations and enterprises.

Deliveries of investment goods and services as well as construction of complete industrial plants, the products of which shall be destined for the market of either or both countries and/or for third markets.

A N N E X II

RULES OF PROCEDURE

FOR THE FINNISH-POLISH JOINT COMMISSION ESTABLISHED UNDER THE AGREEMENT ON ECONOMIC, INDUSTRIAL, SCIENTIFIC AND TECHNICAL CO-OPERATION, SIGNED IN HELSINKI ON 30 JANUARY, 1974

Article 1. The scope of work of the Joint Commission provided for under Article 6 of the Agreement covers the whole field of economic, industrial, scientific and technical cooperation between the Republic of Finland and the Polish People's Republic.

Article 2. 1. The Joint Commission shall be composed of two delegations representing the Government of the Republic of Finland and the Government of the Polish People's Republic.

2. Each delegation shall be composed of a chairman, a deputy chairman, a secretary and members. The delegations can be assisted by experts.

3. The chairmen of the delegations shall be in the rank of vice minister or of a corresponding rank.

4. The parties shall notify each other in writing of the names of the chairman, deputy chairman, secretary, members and experts of their delegation to the said Commission.

Article 3. 1. The joint Commission meets at ordinary and extraordinary sessions.

2. Ordinary sessions are held annually alternately in Warsaw and in Helsinki at a date to be agreed mutually.

3. Extraordinary sessions are called at the request of either of the two chairmen, who proposes the agenda for this session.

Article 4. The Joint Commission may establish branch sub-committees and working groups for which it shall determine the terms of reference and which shall submit reports on their activities.

Article 5. Protocols containing the conclusions shall be drawn up on sessions of the Joint Commission, branch sub-committees and working groups.

Article 6. Matters concerning the organisation of the work of the Joint Commission, branch sub-committees or working groups arising at times when the Commission is not in session may be settled by direct contacts and exchange of correspondence between the chairmen or secretaries of the Commission.

Article 7. 1. Sessions of the Joint Commission shall be conducted in the English language.

2. Protocols and reports on sessions of the Joint Commission, branch sub-committees and working groups shall be drawn up in two authentic copies in the English language.

3. Correspondence between the chairmen and secretaries of the two delegations shall be conducted in the English language.

EXCHANGE OF LETTERS

I

Helsinki, 30 January, 1974

Your Excellency,

In the course of the negotiations which have led today to the signing of the Agreement on economic, industrial, scientific and technical co-operation between the Government of the Republic of Finland and the Government of the Polish People's Republic an understanding was reached that as far as scientific co-operation is concerned, this Agreement and the work of the Joint Commission will cover all matters connected with applied science. Other aspects of scientific co-operation are and will be covered by the Agreement between the Government of the Republic of Finland and the Government of the Polish People's Republic on co-operation in cultural, scientific and other related fields, signed in Warsaw on 8 March 1973.¹

Please confirm, Your Excellency, that the above sets out correctly the understanding reached between us.

Please accept, Your Excellency, the assurance of my highest consideration.

TADEUSZ OLECHOWSKI

II

Helsinki, 30 January, 1974

Your Excellency,

I confirm the receipt of your letter of today's date which reads as follows:

[*See letter I*]

I confirm, Your Excellency, that the above sets out correctly the understanding reached between us.

Please accept, Your Excellency, the assurance of my highest consideration.

JERMU LAINE

¹ United Nations, *Treaty Series*, vol. 917, p. 149.