

No. 14440

**NETHERLANDS
and
POLAND**

Long-term Agreement on the development of economic, industrial and technical co-operation (with annexes and exchange of letters). Signed at The Hague on 2 July 1974

Authentic text: French.

Registered by the Netherlands on 21 November 1975.

**PAYS-BAS
et
POLOGNE**

Accord à long terme sur le développement de la coopération économique, industrielle et technique (avec annexes et échange de lettres). Signé à La Haye le 2 juillet 1974

Texte authentique : français.

Enregistré par les Pays-Bas le 21 novembre 1975.

[TRANSLATION — TRADUCTION]

LONG-TERM AGREEMENT¹ ON THE DEVELOPMENT OF ECONOMIC, INDUSTRIAL AND TECHNICAL CO-OPERATION BETWEEN THE GOVERNMENT OF THE KINGDOM OF THE NETHERLANDS AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC

The Government of the Kingdom of the Netherlands and the Government of the Polish People's Republic

Desiring to consolidate the ties of friendship between their peoples,

Desiring to continue and strengthen the development of economic, industrial, agricultural and technical co-operation, and aware of its key role in their mutual relations,

Convinced of the importance of creating the best conditions for facilitating such co-operation,

Wishing to avail themselves, for the purpose of strengthening such co-operation, of the opportunities offered by the economic development of their countries,

Having regard to the Agreement on economic, industrial and technical co-operation between the Kingdom of the Netherlands and the Polish People's Republic signed at Warsaw on 22 August 1967,²

Referring to the Long-Term Trade Agreement between the Benelux Economic Union and the Polish People's Republic signed at The Hague on 25 November 1971,³ and the participation of their countries in the General Agreement on Tariffs and Trade,⁴

Recognizing the advantage of adopting long-term measures designed to enhance the prospects for stable and lasting co-operation,

Have agreed as follows:

Article 1. The Contracting Parties shall continue their efforts aimed at creating favourable conditions for the dynamic and harmonious development of economic, industrial and technical co-operation, and to that end shall take all necessary measures in the most liberal spirit, in accordance with their international commitments and particularly those referred to in the preamble of this Agreement.

Article 2. The Contracting Parties recognize the advantage of facilitating for the enterprises and organizations of their countries the broadest use of the opportunities offered within the framework of any long-term plans or projects in their countries. With respect to such plans or projects, the responsible authorities shall continue and intensify their contacts in order to achieve a better knowledge of objectives and methods and thereby bring about concerted action designed to establish still closer ties between their economies.

¹ Came into force on 14 July 1975, the date on which the Contracting Parties notified each other of the completion of the formalities required under their respective laws, in accordance with article 11(1).

² United Nations, *Treaty Series*, vol. 648, p. 167.

³ *Ibid.*, vol. 929, p. 85.

⁴ *Ibid.*, vol. 55, p. 187.

Article 3. The Contracting Parties shall specify the fields in which they consider the expansion of co-operation to be desirable. A detailed but not exhaustive list of sectors of mutual interest is given in annex I attached to this Agreement.

Article 4. The Contracting Parties shall support and encourage initiatives for the promotion of economic co-operation by utilizing their mutual capabilities with regard to co-production, marketing and market research techniques.

To that end, the two Governments shall encourage, with a view to consolidating lasting ties of co-operation, the conclusion of long-term agreements between the interested enterprises and economic organizations constituted in their countries, particularly in the fields of production, technology, research and the training of technical personnel.

The Contracting Parties shall promote between the enterprises and economic organizations constituted in their countries, *inter alia*:

- co-operation with a view to ensuring mutual complementarity of goods produced and of services,
- co-operation with a view to the marketing of products and services, both domestically and in third countries.

The Contracting Parties consider that the development of industry and agriculture is closely linked to the development of technology and applied science, and they attach great importance to co-operation in these fields.

The Contracting Parties shall therefore encourage and facilitate, within the framework of their respective capabilities, the following forms of co-operation:

- exchange of know-how and technical documentation,
- formulation and implementation of applied research programmes,
- basic and advanced training of technical personnel, including exchanges of trainees,
- organization of courses, consultations, conferences and symposia, between experts,
- exchange of technical films and organization of exhibitions,
- Such other forms of co-operation as may be mutually agreed.

Article 5. In order to ensure the conditions required for the implementation of co-operative operations, the Contracting Parties shall give favourable consideration to the application of various forms of co-operation both within the territories of their countries and in third countries, particularly by encouraging joint enterprises and by using the skills and experience of their countries.

Article 6. The Contracting Parties are aware of the importance of appropriate financing terms for the implementation of co-operative operations. The objectives of this Agreement should be taken into consideration in order to facilitate the agreements and arrangements to be concluded between interested financial and banking institutions.

Article 7. Having regard to the fact that Poland and the Netherlands are large producers of agricultural products, the Contracting Parties shall encourage co-operation in this field between the competent enterprises and economic organizations of the two countries.

Article 8. The Contracting Parties agree that to ensure the implementation of co-operative operations they will accord to each other the most favourable treatment possible within the framework of existing laws and regulations applicable in their countries.

Article 9. There shall be established an Intergovernmental Mixed Commission for Economic, Industrial and Technical Co-operation, which shall be responsible for supervising the implementation of this Agreement.

The Mixed Commission shall meet alternately at The Hague and at Warsaw at least once a year on a mutually agreed date.

The principles governing the organization of work and the functioning of the Mixed Commission are defined in annex II attached to this Agreement.

Representatives of economic organizations, associations and enterprises may be invited to participate in the work of the Mixed Commission.

Article 10. As regards the Kingdom of the Netherlands, this Agreement shall apply to the entire Kingdom unless notice to the contrary is given by the Government of the Kingdom of the Netherlands to the Government of the Polish People's Republic within one month after the entry into force of this Agreement.

Article 11. 1. This Agreement is concluded for a period of 10 years and shall enter into force on the date on which the Contracting Parties notify each other that the formalities required under their respective laws have been completed.

2. On the date of its entry into force, this Agreement shall replace the Agreement on economic, industrial and technical co-operation signed at Warsaw on 22 August 1967.¹

3. If either Contracting Party does not intend to extend the Agreement, it shall notify the other Contracting Party accordingly in writing six months before the expiry of the said period of 10 years.

4. In the absence of such notification, the Agreement shall be extended for an indefinite period, which either Contracting Party may terminate by giving six months' notice in writing to the other Contracting Party.

5. The Government of the Kingdom of the Netherlands shall be entitled, subject to notification as provided for in paragraphs 3 and 4 of this article, to terminate the application of this Agreement in respect of one or more parts of the Kingdom.

6. In the event of the expiry of this Agreement, current contracts between enterprises and economic organizations of the two countries shall not be affected.

DONE at The Hague on 2 July 1974, in duplicate in the French language.

For the Government of the Kingdom of the Netherlands:
M. VAN DER STOEL

For the Government of the Polish People's Republic:
S. OLSZOWSKI

¹ United Nations, *Treaty Series*, vol. 648, p. 167.

ANNEX I

SECTORS OF MUTUAL INTEREST FOR ECONOMIC, INDUSTRIAL AND TECHNICAL CO-OPERATION

- Agriculture and livestock production
- Food industry
- Mining industry
- Chemical and petrochemical industry
- Building industry
- Iron and steel industry
- Machine industry, mechanical, electrical and electronic engineering
- Light industry
- Shipbuilding and port equipment
- Data processing
- Environment
- Transfer of patents and licences
- Services and transport

ANNEX II

PRINCIPLES GOVERNING THE ORGANIZATION OF WORK AND THE FUNCTIONING
OF THE MIXED COMMISSION

Article 1. The competence of the Intergovernmental Mixed Commission shall extend to questions arising out of the economic, industrial and technical co-operation between the Kingdom of the Netherlands and the Polish People's Republic.

Article 2. The Intergovernmental Mixed Commission shall be composed of the delegation of the Kingdom of the Netherlands and the delegation of the Polish People's Republic.

Each delegation shall comprise a Chairman and members. If the agenda so requires, the Mixed Commission may, by prior mutual agreement, meet under ministerial chairmanship.

The Contracting Parties shall notify each other in writing of the composition of the delegations to the Intergovernmental Mixed Commission.

Article 3. The tasks of the Intergovernmental Mixed Commission shall be:

- to make any proposals which may facilitate the implementation of the provisions of the Agreement,
- to carry out periodic reviews of the progress achieved with respect to co-operation and an exchange of information on the main directions of economic development envisaged by the two Contracting Parties.

Article 4. The results of the meetings shall be recorded in the minutes.

Article 5. The Intergovernmental Mixed Commission may appoint sub-commissions and sectoral groups, whose terms of reference it shall lay down and which shall report to it in writing on their activities.

Article 6. Between sessions of the Intergovernmental Mixed Commission, problems concerning mutual co-operative relations may be the subject of discussion in the form of direct contacts and/or correspondence between the Chairmen of the two delegations.

Article 7. The minutes of meetings of the Intergovernmental Mixed Commission and of sub-commissions and sectoral groups shall be drawn up in duplicate in the French language.

EXCHANGE OF LETTERS

I

The Hague, 2 July 1974

Sir,

On the occasion of the signing of the Long-Term Agreement on the Development of Economic, Industrial and Technical Co-operation between the Kingdom of the Netherlands and the Polish People's Republic, the two Parties have determined as follows:

1. Poland, being a large importer of investment goods, is interested in increasing purchases of such goods in the Netherlands also within the framework of co-operation. In these circumstances, Poland would like to obtain from the Netherlands long-term credits on favourable terms.

It is the desire of the Polish Party that such long-term credits should be utilized, by interested participants, for orders for capital goods, complete industrial units, engineering services and know-how placed by Poland within the framework of scientific and technical co-operation and for the transfer of licences, patents and documentation concerning engineering and technology related to its orders.

The Government of the Netherlands will, to the extent possible, facilitate the granting of such credits to Poland by the competent Netherlands institutions on the best terms as regards rates of interest and insurance rates.

2. In order to promote co-operation, and within the framework of the regulations in force, the two Parties are prepared to encourage the simplification of customs formalities, for example with respect to the bonding of goods and job processing. They are prepared to organize all contacts conducive to that purpose.

The Parties will also give favourable consideration, on a case-by-case basis, to requests for the supply of goods within the framework of co-operative contracts if the goods in question are still subject to quantitative restrictions.

In addition, the two Parties will promote the reciprocal supply between the interested participants of parts and subassemblies of machinery and plant with a view to co-production and marketing, possibly under a joint trade mark, of the finished product within their territories and in third countries.

3. The two Parties have decided to request the qualified organizations in the two countries to consider the possibilities and specific measures for an improved knowledge in the future of market needs and marketing techniques, *inter alia* through the organization of missions and study workshops. Questions relating to the establishment of technical and/or commercial representative offices will be considered on a case-by-case basis.

4. In order to encourage the conclusion of long-term co-operative contracts, and in the event of large-scale purchases technology and of complete plant for the production by enterprises of a finished product, the competent authorities, once they have agreed that the operation is mutually advantageous, will not create any obstacles to repayment of the credit, in whole or in part, by means of deliveries of finished articles produced by the plant which was purchased, affording the most favourable treatment possible within the framework of the laws, regulations and treaties in force.

I would request you to signify your agreement with the foregoing.
Accept, Sir, etc.

[Signed]

M. VAN DER STOEL
Minister for Foreign Affairs

His Excellency Mr. S. Olszowski
Minister for Foreign Affairs of the Polish People's Republic

II

The Hague, 2 July 1974

Sir,

I have the honour to acknowledge receipt of your letter of today's date, reading as follows:

[See letter I]

I signify my agreement with the foregoing.
Accept, Sir, etc.

[Signed]

S. OLSZOWSKI
Minister for Foreign Affairs

His Excellency Mr. M. van der Stoel
Minister for Foreign Affairs of the Kingdom of the Netherlands
