

No. 14674

**SWITZERLAND
and
POLAND**

**Trade Agreement (with exchange of letters). Signed at
Warsaw on 25 June 1973**

Authentic texts: French and Polish.

Registered by Switzerland on 25 March 1976.

**SUISSE
et
POLOGNE**

**Accord sur les échanges économiques (avec échange de
lettres). Signé à Varsovie le 25 juin 1973**

Textes authentiques : français et polonais.

Enregistré par la Suisse le 25 mars 1976.

[TRANSLATION — TRADUCTION]

TRADE AGREEMENT¹ BETWEEN THE SWISS CONFEDERATION AND THE POLISH PEOPLE'S REPUBLIC

The Swiss Federal Council and the Government of the Polish People's Republic,

Desiring to develop and expand the economic relations between the two countries, have agreed as follows:

Article 1. Taking into account the present development of trade between the Swiss Confederation and the Polish People's Republic, the Contracting Parties shall endeavour, within the scope of the provisions of this Agreement, to consolidate and harmoniously develop trade during the period of validity of the Agreement, so that full advantage may be taken of the possibilities afforded by the progress of their respective economies.

Article 2. The economic relations between the Parties to this Agreement shall, by virtue of their accession to GATT,² be governed and continue to be governed by the provisions of the General Agreement on Tariffs and Trade,² having regard to the Protocols for the Accession of Switzerland, of 1 April 1966,³ and of Poland, of 18 September 1967.⁴

The Parties to the Agreement shall accordingly grant and continue to grant to each other most-favoured-nation treatment in accordance with the relevant provisions of the General Agreement on Tariffs and Trade, and in particular article I thereof.

Article 3. The two Governments shall, within the scope of the provisions and regulations in force in the two countries, ensure as liberal access as possible to their markets for goods of the other country.

In so doing, they shall endeavour to take account of the import and export structures of the two countries and of future changes in those structures resulting from the development of their economies.

Article 4. The two Governments recognize the value, for the purpose of increasing their trade, of developing co-operation in the economic, industrial and technical fields and in the provision of services. They shall encourage the efforts made by enterprises and organizations of the two countries with a view to co-operation, which may also take place in third countries.

The products and services resulting from such co-operation shall receive as favourable treatment as possible within the scope of the provisions and regulations in force in the two countries.

¹ Came into force on 15 December 1973, i.e., 20 days after the date of receipt of the second notification by which the Contracting Parties informed each other of the completion of the required formalities, in accordance with article 9.

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

³ *Ibid.*, vol. 570, p. 272.

⁴ *Ibid.*, vol. 609, p. 236.

The two Governments also recognize the value of co-operation in the field of patents, licences, technology and applied science, which benefits from the fact that industrial property and copyright are protected by the provisions of the international conventions to which the two Governments are parties and by their national laws.

Article 5. Payments between the Swiss Confederation and the Polish People's Republic shall be effected in accordance with the Payments Agreement between the Swiss Federal Council and the Government of the Polish People's Republic, signed this day.¹

Article 6. The Contracting Parties shall establish a Mixed Commission for the duration of this Agreement.

It shall have the task of monitoring the operation of this Agreement, facilitating its implementation and reviewing problems connected with the economic relations between the two countries. It may, in particular, consider the measures to be taken, and make any proposal, to facilitate and expand opportunities for trade and for co-operation in the economic, industrial and technical fields between the two countries.

It shall meet at the request of either Contracting Party, normally once a year, alternately in Poland and in Switzerland.

Article 7. The effects of this Agreement shall extend to the Principality of Liechtenstein as long as it is bound to the Swiss Confederation by a customs union treaty.

Article 8. With effect from the date of entry into force of this Agreement, the Trade and Payments Agreement between the Swiss Confederation and the Polish Republic of 25 June 1949 and the related protocols and exchanges of letters shall be abrogated.

Article 9. The Contracting Parties shall approve this Agreement in accordance with the provisions in force in each country and shall notify each other through the diplomatic channel when the required conditions have been fulfilled. The Agreement shall enter into force 20 days after the date of receipt of the second notification.

The Agreement is concluded for a term of five years. It shall thereafter be automatically renewed for successive periods of one year, unless denounced in writing three months before its expiry.

DONE at Warsaw, on 25 June 1973, in two original copies, each in the French and Polish languages, both texts being equally authentic.

For the Swiss
Federal Council:

RAYMOND PROBST

For the Government
of the Polish People's
Republic:

STANISLAW STRUS

¹ See p. 211 of this volume.

EXCHANGE OF LETTERS

I

THE CHAIRMAN OF THE SWISS DELEGATION

Warsaw, 25 June 1973

Sir,

I have the honour to refer to article 8 of the Trade Agreement between the Swiss Confederation and the Polish People's Republic, signed this day, which abrogates the Agreement between the Swiss Confederation and the Polish Republic of 25 June 1949 and the related protocols and exchanges of letters.

Following the discussion which took place between our two delegations on the subject of the treatment of merchant vessels flying the Swiss flag in Polish ports, it is understood that the arrangement contained in chapter I (3) of the protocol of the Polish-Swiss negotiations which ended at Warsaw on 25 June 1949, stipulating that "merchant vessels flying the Swiss flag shall, on entering, leaving and harbouring in seaports of the Polish Republic, enjoy the same treatment as merchant vessels of the most favoured nation", remains in effect.

I would request you to confirm your agreement to the above.

Accept, Sir, etc.

[RAYMOND PROBST]

Mr. Stanislaw Strus
Chairman of the Polish Delegation
Warsaw

II

THE CHAIRMAN OF THE POLISH DELEGATION

Warsaw, 25 June 1973

Sir,

I acknowledge receipt of your letter of today's date, reading as follows:

[See letter I]

I confirm my agreement to the above.

Accept, Sir, etc.

STANISLAW STRUS

Mr. Raymond Probst
Chairman of the Swiss Delegation
Warsaw