

**No. 23467**

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**SPAIN  
and  
POLAND**

**Agreement on economic and industrial co-operation.  
Signed at Warsaw on 13 December 1984**

*Authentic texts: Spanish and Polish.  
Registered by Spain on 29 July 1985.*

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**ESPAGNE  
et  
POLOGNE**

**Accord de coopération économique et industrielle. Signé à  
Varsovie le 13 décembre 1984**

*Textes authentiques : espagnol et polonais.  
Enregistré par l'Espagne le 29 juillet 1985.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> ON ECONOMIC AND INDUSTRIAL CO-OPERATION  
BETWEEN THE GOVERNMENT OF SPAIN AND THE GOVERN-  
MENT OF THE POLISH PEOPLE'S REPUBLIC

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The Government of Spain and the Government of the Polish People's Republic,  
Wishing to develop mutually beneficial economic and industrial co-operation  
between their two countries,

Having regard to the possibility of making fuller use of their economic resources  
for the development of both countries, under a comprehensive long-term programme  
of co-operation,

Aware of the particular value of long-term conventions and agreements for  
ensuring stable and mutually beneficial co-operation,

Guided by the aims and principles of the General Agreement on Tariffs and  
Trade (GATT),<sup>2</sup>

Respecting the principles and provisions of the Final Act of the Conference on  
Security and Co-operation in Europe, signed at Helsinki on 1 August 1975,<sup>3</sup> and of  
the subsequent meetings of the status signatories to the Final Act of the Conference,  
held at Belgrade and Madrid,

Have agreed as follows:

*Article 1.* The Contracting Parties shall promote the development of eco-  
nomic and industrial co-operation between the competent enterprises and agencies of  
their two countries, with the aim of expanding and diversifying their economic rela-  
tions.

With respect to such co-operation, the Contracting Parties shall accord each  
other the most favourable treatment possible. Further, the Contracting Parties shall  
promote and facilitate co-operation between competent individuals and legal entities  
in the two countries, under their respective domestic legislation.

*Article 2.* The Parties shall identify, in consonance with the need and oppor-  
tunities for economic and industrial co-operation between the two countries, those  
sectors in which they deem it most appropriate to expand and extend co-operation.

The Parties shall promote co-operation between the competent Spanish and  
Polish agencies and enterprises in the following general sectors:

- Energy;
- Iron and steel;
- Chemical, petrochemical and pharmaceutical industries;
- Machinery and capital goods;
- Shipbuilding;

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<sup>1</sup> Came into force on 27 May 1985, the date on which the Parties had notified each other (on 15 April and 27 May 1985) of the completion of the formalities required under their respective domestic legislation, in accordance with article 14.

<sup>2</sup> United Nations, *Treaty Series*, vol. 55, p. 187.

<sup>3</sup> *International Legal Materials*, vol. 14 (1975), p. 1292 (American Society of International Law).

- Transport and communications;
- The telecommunications, electronics and data-processing industry;
- Mining;
- The automobile industry;
- Engineering;
- Consumer goods industry;
- Other sectors of interest to both Parties.

*Article 3.* Economic and industrial co-operation between Spain and the Polish People's Republic shall, in particular, take the form of:

- Establishment, expansion and modernization of industrial installations, and the supply and construction of complete plants or assembly lines and of equipment and machines;
- Preparation of studies on investment projects and the supply of plants, the provision of documentation and the granting of the requisite technical assistance;
- Sale or acquisition and granting of licences and know-how, and the development of scientific and technical co-operation;
- Co-operation in the areas of research, exploration, technology, processing and sales with regard to raw materials and energy products of importance to both countries;
- Other ways and means to be agreed on by the Contracting Parties.

*Article 4.* The specific details of economic and industrial co-operation shall be established in agreements and contracts between the enterprises and economic organizations of the Contracting Parties, in accordance with their respective domestic legislation.

*Article 5.* The Contracting Parties shall notify each other in due form of the opportunities that exist for economic co-operation in the various sectors of the economy or in the execution of specific projects.

They shall also seek to improve the existing exchanges of information, particularly with regard to economic plans and programmes, the priorities established under such programmes, market access conditions and other legal provisions of importance for facilitating the development of mutual co-operation.

*Article 6.* Within the framework of the legal provisions in force in both countries, the Contracting Parties shall promote and support, in their common interest, co-operation projects and activities in third countries between enterprises and economic organizations of Spain and the Polish People's Republic.

*Article 7.* In view of the importance of financing for the development of economic co-operation projects, the Contracting Parties shall endeavour to ensure that credits for the financing of projects of mutual interest are offered on the most favourable terms possible, within the framework of their respective laws and regulations.

*Article 8.* The Contracting Parties shall promote the preparation of joint studies in sectors of interest to both Parties and, in particular, in sectors relating to industrial co-operation between them.

The Parties shall also expedite fulfilment of the commitments relating to technical assistance made further to this Agreement in contracts between enterprises.

*Article 9.* In promoting economic and industrial co-operation, both Parties shall give particular attention to the specific problems posed by co-operation with small and medium-sized enterprises.

*Article 10.* The Contracting Parties shall accord particular importance to events organized to promote the development of economic and industrial co-operation, for instance, specialized exhibitions, the exchange of economic and industrial missions, symposia and other trade events. To that end, they shall facilitate the organization of such events and shall promote participation in them by enterprises and agencies of both countries.

*Article 11.* The co-operation which is the subject of this Agreement shall be conducted in conformity with the international commitments entered into by the Contracting Parties, which shall seek to ensure that their international obligations do not restrict co-operation between the two countries.

*Article 12.* Should difficulties arise in the implementation of this Agreement, consultations shall be held in the Joint Commission established under article 13 of this Agreement with a view to finding the most favourable solution in keeping with the spirit of co-operation underlying this Agreement.

*Article 13.* To monitor and review compliance with this Agreement on Economic and Industrial Co-operation, the Contracting Parties shall establish a Joint Commission comprising representatives of both Governments.

Representatives of enterprises and agencies of the two countries may take part in the activities of the Joint Commission as advisers.

The Joint Commission shall, in particular, perform the following functions:

- Formulate and submit recommendations for the extension and expansion of economic and industrial co-operation;
- Formulate programmes for the development of such co-operation in selected sectors of the economy, and determine priority areas of co-operation;
- Monitor compliance with this Agreement;
- Review difficulties which may hinder the growth and diversification of economic and industrial relations between the two countries and analyse ways of overcoming such difficulties;
- Promote the necessary measures to encourage greater economic and industrial co-operation between the Contracting Parties, so as to contribute to the development and diversification of relations between them.

The Joint Commission may establish working groups to discuss specific issues and propose the negotiation of conventions and agreements, in specific areas of the economy, between the relevant enterprises and competent agencies of the two Parties.

The Joint Commission shall submit to both Governments such proposals and recommendations as it deems necessary.

The Joint Commission shall meet annually or at the request of either Contracting Party, in the Polish People's Republic and in Spain alternately.

*Article 14.* This Agreement shall enter into force on the date on which the Parties notify each other that they have completed the formalities required under their respective domestic legislation.

*Article 15.* This Agreement shall remain in effect for two years. It shall be automatically renewed for one-year periods, unless it is denounced in writing by either Party six months prior to the expiration of any such a period.

*Article 16.* Expiration of this Agreement shall not affect the implementation of contracts and agreements concluded but not completed during the period for which it is in force.

DONE AND SIGNED at Warsaw on 13 December 1984, in two original copies, in the Spanish and Polish languages, both texts being equally authentic.

For the Government  
of Spain:

[Signed]

JAVIER VILLACIEROS  
Ambassador of Spain

For the Government  
of the Polish  
People's Republic:

[Signed]

RYSZARD STRZELECKI  
Deputy Minister of Foreign Trade

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