

No. 24316

**FRANCE
and
POLAND**

**Agreement concerning French institutes in Poland and
Polish institutes in France (with exchange of letters of
23 August and 6 September 1979). Signed at Warsaw on
19 July 1979**

Authentic texts: French and Polish.

Registered by France on 29 August 1986.

**FRANCE
et
POLOGNE**

**Accord relatif aux instituts français en Pologne et aux ins-
tituts polonais en France (avec échange de lettres des
23 août et 6 septembre 1979). Signé à Varsovie le 19 juil-
let 1979**

Textes authentiques : français et polonais.

Enregistré par la France le 29 août 1986.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC CONCERNING FRENCH INSTITUTES IN POLAND AND POLISH INSTITUTES IN FRANCE

The Government of the French Republic and the Government of the Polish People's Republic,

Desiring to promote knowledge of France in Poland and of Poland in France and thus to further the development of co-operation between the two countries, in accordance with the esteem and friendship which have traditionally characterized their relations,

Referring to:

- The Cultural Agreement between the Government of the French Republic and the Government of the Polish People's Republic, signed at Warsaw on 20 May 1966² (article 4);
- The Franco-Polish Declaration on the principles and means of developing cultural and scientific co-operation, information and human relations, signed at Warsaw on 20 June 1975, as well as the Franco-Polish Declaration signed at Paris on 14 September 1977;

Having regard to the provisions of the Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975,³

Have agreed as follows:

Article 1. 1. A Polish Institute shall be established in Paris. A French Institute shall be established in Warsaw, to replace the French Reading Room of Warsaw.

2. Each Party shall, on the basis of reciprocity and in compliance with its legislation, grant the facilities necessary for the Institute of the other Party to function.

Article 2. 1. The provisions of this Agreement shall apply to the French Institute of Cracow, which shall replace the French Reading Room of Cracow. The Polish Party may open a second Polish Institute in France, which shall be governed by the provisions of this Agreement.

2. The establishment, in either of the two countries, of any other cultural institutes, which shall be governed by the provisions of this Agreement, shall be by the consent of the two Parties.

Article 3. The Institutes shall be of a cultural nature. Their purpose shall be:

- (a) To promote knowledge in each country of the cultural and intellectual values of the other country;
- (b) To foster a better understanding between the two countries.

¹ Came into force on 21 January 1985, the date of receipt (on 26 January 1981 and 21 January 1985) of the last of the notifications by which the Parties informed each other of the completion of the required procedures, in accordance with article 12.

² United Nations, *Treaty Series*, vol. 793, p. 151.

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

Article 4. 1. The activities of the Institutes shall consist mainly in the teaching of the languages and civilizations of the two countries, the presentation of films and exhibitions, the organization of conferences, symposia, meetings, theatrical events and concerts, the loan of books, publications, films, records, slides and other cultural documents, and the publication of programmes, bulletins and other cultural documents.

2. The Institutes may also lend support to cultural events held in France and Poland within the general framework of Franco-Polish cultural co-operation.

Article 5. 1. A Polish director and a Polish assistant director shall be appointed by the Polish Ministry of Foreign Affairs to head the Polish Institute, and a French director and a French assistant director shall be appointed by the French Ministry of Foreign Affairs to head the French Institute.

2. The staff of the Polish Institute shall be recruited by the Polish authorities; the staff of the French Institute shall be recruited by the French authorities.

3. The French and Polish Ministries of Foreign Affairs shall respectively be kept informed of the appointment of the directors and assistant directors and of their arrival and final departure. They shall also be informed of the recruitment of members of the staff of the Institute of the other country, whatever their nationality, and of their arrival and final departure or of the assumption and termination of their appointment at the Institute.

Article 6. In order to enable the Institutes to carry out their functions, the two Parties, which shall be represented for such purposes by the directors, may conclude contracts for cultural and other services connected with the activities of the Institutes.

Article 7. 1. Each Party shall grant to members of the staff of the Institute of the other Party, on the basis of reciprocity, every administrative facility permitted under its legislation for the issuance of a residence permit.

Such staff members shall receive, through the Ministry of Foreign Affairs of the host country, a free temporary residence permit in France and a similar document in Poland for themselves, their spouses and their minor children.

2. The members of the staff of the Polish Institute shall be subject to Polish labour and social security legislation; the members of the staff of the French Institute shall be subject to French labour and social security legislation. With regard to social security, the General Convention between France and Poland on social security, signed at Paris on 9 June 1948¹ (article 3, paragraph 2 (c)), shall apply.

3. Each Party shall grant to the members of the staff of the other Party the right to import free of duty, for the duration of their appointment, the furniture and personal effects in their possession at the time of first taking up the post and their motor vehicle.

4. The members of the staff of the Polish Institute and the members of the staff of the French Institute shall be governed by the provisions of the Convention between France and Poland for the Avoidance of Double Taxation with respect to Taxes on Income and on Capital, signed at Warsaw on 20 June 1975.²

¹ United Nations, *Treaty Ser.es*, vol. 32, p. 251.

² *Ibid.*, vol. 1031, p. 129.

5. The provisions of paragraphs 1, 2, 3 and 4 of this article shall not apply to those members of the staff of the Institutes who are either nationals of the host country or nationals of the other country having permanent residence status in the host country.

Article 8. The two Parties shall grant to the Institutes, on the basis of reciprocity, and within the limits and conditions established by their legislation, an exemption from all duties and taxes in respect of cultural items imported pursuant to this Agreement.

Article 9. Each Party shall be exempt in the territory of the other Party from the national, regional or local taxes and dues payable:

- (a) In respect of the acquisition, free of charge or against payment, or of the leasing of buildings or other immovable property intended for the establishment of the Institutes;
- (b) In respect of donations or legacies granted for cultural purposes in the territory where the Institutes are established.

Article 10. Without prejudice to the provisions of this Agreement, the Institutes shall comply with the legislation of the host country.

Article 11. The Franco-Polish Cultural Commission established by the Cultural Agreement (article 21) shall be informed of the activities of the Institutes at each of its sessions.

Article 12. Each of the two Parties shall notify the other of the completion of the procedures required under its Constitution for the entry into force of this Agreement. The Agreement shall enter into force on the date of the second such notification.

This Agreement shall remain in force until it is denounced by either of the Parties. Such denunciation shall become effective six months after receipt of the respective notification.

DONE at Warsaw on 19 July 1979, in two original copies, each in the French and Polish languages, both texts being equally authentic.

For the Government
of the French Republic:

[Signed]

JEAN FRANÇOIS-PONCET

For the Government
of the Polish People's Republic:

[Signed]

EMIL WOJTASZEK

EXCHANGE OF LETTERS

I

FRENCH REPUBLIC
MINISTER FOR FOREIGN AFFAIRS

23 August 1979

Sir,

With reference to the Agreement signed on 19 July 1979 between the Government of the French Republic and the Government of the Polish People's Republic concerning French Institutes in Poland and Polish Institutes in France, I have the honour to submit the following for your concurrence:

The Director of the Institute shall have diplomatic status.

I have the honour to propose that the exchange of this letter and a reply signed by you on the same subject shall constitute an agreement between our two Governments on this matter.

Accept, Sir, etc.

[Signed]

JEAN FRANÇOIS-PONCET

Mr. Emil Wojtaszek
Minister for Foreign Affairs of the Polish
People's Republic
Warsaw

II

MINISTER FOR FOREIGN AFFAIRS

Warsaw, 6 September 1979

Sir,

I acknowledge receipt of your letter of 23 August 1979, which reads as follows:

[See letter I]

I have the honour to inform you that I concur with the foregoing and accept the proposal that your letter and this reply should constitute an agreement between our two Governments on this matter.

Accept, Sir, etc.

[Signed]

EMIL WOJTASZEK

Mr. Jean François-Poncet
Minister for Foreign Affairs
Paris