

No. 27714

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**FEDERAL REPUBLIC OF GERMANY  
and  
POLAND**

**Agreement on cooperation in environmental protection (with exchange of letters, work schedule and work programmes). Signed at Warsaw on 10 November 1989**

*Authentic texts: German and Polish.*

*Registered by Germany on 7 December 1990.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
POLOGNE**

**Accord relatif à la coopération en matière de protection de l'environnement (avec échange de lettres, plan de travail et programmes de travail). Signé à Varsovie le 10 novembre 1989**

*Textes authentiques : allemand et polonais.*

*Enregistré par l'Allemagne le 7 décembre 1990.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL  
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE  
POLISH PEOPLE'S REPUBLIC ON COOPERATION IN ENVI-  
RONMENTAL PROTECTION

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

In execution of the provisions of the Agreement of 7 December 1970 between the Federal Republic of Germany and the Polish People's Republic concerning the basis for normalization of their mutual relations,<sup>2</sup>

Seeking to develop and promote close and lasting cooperation in environmental protection,

In accordance with the aims and principles of the Declaration of the United Nations Conference on the Human Environment signed at Stockholm in 1972,<sup>3</sup>

Desiring to contribute to the implementation of the provisions of the Final Act of the Conference on Security and Co-operation in Europe,<sup>4</sup> and in particular the Vienna Follow-up Meeting of the Conference on Security and Co-operation in Europe,<sup>5</sup>

Having regard to the results of the Conference on Long-Range Transboundary Air Pollution held at Geneva in 1979,<sup>6</sup>

Pursuant to the resolution adopted by the Multilateral Environmental Conference at Munich in 1984,

In accordance with the aims of the Agreement of 1 November 1974 between the Government of the Federal Republic of Germany and the Government of the Polish People's Republic concerning the development of economic, industrial and technical cooperation,<sup>7</sup> and of the Agreement of 10 November 1989 between the Government of the Federal Republic of Germany and the Government of the Polish People's Republic concerning cooperation in the fields of science and technology,

Have agreed as follows:

*Article 1*

The two Parties shall develop and promote cooperation in environmental protection on a basis of equal rights, reciprocity and mutual advantage.

The aims of this cooperation shall be the solution of important problems relating to environmental protection and the rational use of natural resources, the investigation of harmful effects on the environment, and the development of precautionary measures for the protection of the environment.

<sup>1</sup> Came into force on 10 November 1989 by signature, in accordance with article 9.

<sup>2</sup> United Nations, *Treaty Series*, vol. 830, p. 327.

<sup>3</sup> United Nations, *Official Records of the General Assembly, Forty-eighth Session, (A/CONF.48/14/Rev.1)*.

<sup>4</sup> *International Legal Materials*, vol. 14 (1975), p. 1292 (American Society of International Law).

<sup>5</sup> *Ibid.*, vol. 28 (1989), p. 527 (American Society of International Law).

<sup>6</sup> See "Convention on Long-Range Transboundary Air Pollution" in United Nations, *Treaty Series*, vol. 1302, p. 217.

<sup>7</sup> United Nations, *Treaty Series*, vol. 1008, p. 371.

### Article 2

Cooperation shall be focused primarily on the following areas:

- (a) Measures and technologies for reducing the emission of air-polluting substances and for measuring air pollution levels;
- (b) Monitoring and ascertaining forest damage, including its causes and measures to combat it;
- (c) Measures and technologies for preventing water pollution;
- (d) Experience and measures concerning soil conservation and land recultivation;
- (e) Avoidance, recycling and safe disposal of wastes, and reclamation of old waste sites;
- (f) Environmental health and toxicology, and hazardous substances;
- (g) Experience and measures in the area of nature conservation;
- (h) General, organizational and economic aspects of environmental policy and law.

For this purpose, meetings of experts, specialized activities, exchanges of experts, interchange of information and further training, and transmission of scientific and technical information, including the results of research, shall be carried out on a basis of reciprocity.

### Article 3

For the purpose of implementing this Agreement, work plans shall be drawn up for successive periods of three years. They shall establish in particular the specific topics, the number of participants and the duration of the respective activities. Further details of the work plans shall be set out in work programmes.

### Article 4

With a view to promoting the implementation of this Agreement, a working group for cooperation in the field of environmental protection (hereinafter referred to as the “working group”) shall be formed of representatives of the two Parties.

Within three months following the entry into force of this Agreement, each Party shall communicate to the other Party the name of its chairman of the working group.

The working group shall meet at least once yearly, the venue alternating between the two Parties.

Subsequent to the first work plan, the working group shall decide upon further work plans, for periods of three years in each case. It may, where required, update the work plans.

The working group shall discuss the results of cooperation and decide upon concrete measures in connection therewith.

### Article 5

In accordance with the aims of this Agreement, both Parties shall support the establishment and development of contacts and cooperation between institutions, organizations and enterprises, including cooperation in the area of environmental technology.

*Article 6*

The two Parties may, by mutual agreement, furnish third parties with information that is the result of their cooperation or has been acquired through an exchange between them.

In information exchanges and in the transmission of information to third parties, both Parties shall observe the laws, rights of third parties and international obligations in force.

*Article 7*

Costs relating to exchanges of experts shall be borne by the sending Party, unless otherwise provided in particular cases.

In particular, it may be agreed that the sending Party shall, in the case of exchanges of personnel, meet the costs of transportation for the outward and return journeys and that the receiving Party shall meet subsistence costs and the costs of travel required for the pursuit of cooperation within its territory.

Persons taking part in personnel exchanges under this Agreement shall receive cost-free medical care in connection with any accident or sickness (with the exception of dental prostheses) that requires immediate medical assistance.

*Article 8*

Pursuant to the Quadripartite Agreement of 3 September 1971,<sup>1</sup> this Agreement shall, in accordance with the established procedures, be extended to Berlin (West).

*Article 9*

This Agreement and the first work plan shall enter into force on the date of signature of this Agreement.

*Article 10*

This Agreement is concluded for a period of five years. It shall thereafter be extended for further periods of five years unless one of the two Parties denounces the Agreement in writing no later than three months before the date of its expiry.

DONE at Warsaw, on 10 November 1989, in two originals, in the German and Polish languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

HANS-DIETRICH GENSCHER

KLAUS TÖPFER

For the Government of the Polish People's Republic:

KRZYSZTOF SKUBISZEWSKI

BRONISLAW KAMINSKI

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<sup>1</sup> United Nations, *Treaty Series*, vol. 880, p. 115.

[TRANSLATION]

THE HEAD OF THE DELEGATION  
OF THE POLISH PEOPLE'S REPUBLIC

Warsaw, 10 November 1989

Sir,

With reference to the Agreement signed today at Warsaw between the Government of the Polish People's Republic and the Government of the Federal Republic of Germany on cooperation in environmental protection, I have the honour, on behalf of the Government of the Polish People's Republic, to confirm that the following work plan, including the work programmes, has been agreed as part of that Agreement:

[TRADUCTION]

LE CHEF DE LA DÉLÉGATION  
DE LA RÉPUBLIQUE POPULAIRE DE  
POLOGNE

Varsovie, le 10 novembre 1989

Monsieur,

J'ai l'honneur de me référer à l'Accord signé ce jour entre le Gouvernement de la République populaire de Pologne et le Gouvernement de la République fédérale d'Allemagne relatif à la coopération en matière de protection de l'environnement et, d'ordre de mon Gouvernement, de vous confirmer son accord concernant le plan de travail et le programme de travail ci-après, qui font partie intégrante de l'Accord.

WORK PLAN FOR THE PERIOD 1990 TO 1992 FOR IMPLEMENTING THE AGREEMENT OF 10 NOVEMBER 1989 BETWEEN THE FEDERAL REPUBLIC OF GERMANY AND THE POLISH PEOPLE'S REPUBLIC ON COOPERATION IN ENVIRONMENTAL PROTECTION

Item No.	Topics/activities	Entity responsible for coordination in the		Persons/ days	Inviting party	Date
		Federal Republic of Germany	Polish People's Republic			
1	2	3	4	5	6	7
1.0	Measures and technologies for reducing the emission of air-polluting substances and for measuring air pollution levels					
1.1	Normative and process-engineering measures to reduce dust-, phosphorous- and nitrogen-oxide emissions from industrial sites by installing exhaust purification systems or using environmentally sound production processes	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environmental Protection and Natural Resources	4/3	Federal Republic of Germany	1990
				4/3	Polish People's Republic	1991
				4/3	Federal Republic of Germany	1992
1.2	Measures to detect and evaluate pollution emissions and immissions, cadastral surveying, measuring techniques, cooperation in developing an early-warning system for smog conditions which may have a transboundary effect, general use of expansion estimates	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environmental Protection and Natural Resources	3/3	Polish People's Republic	1990
				3/3	Federal Republic of Germany	1991
1.3	Measures to reduce CO <sub>2</sub> emissions and other greenhouse gases	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environmental Protection and Natural Resources	3/3	Polish People's Republic	1990
				3/3	Federal Republic of Germany	1991

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>
2.0	Monitoring and ascertaining forest damage, including its causes and measures to combat it	Federal Ministry for Food, Agriculture and Forestry	Ministry for Environmental Protection and Natural Resources	4/3	Polish People's Republic	1990
2.1	Monitoring of forest conditions and ascertainment of forest damage			4/3	Federal Republic of Germany	1991
2.2	Effects of air-polluting substances: sulphur dioxide, nitrogen oxide, ozone and photo-oxidants—in isolation and in combinations			4/3	Polish People's Republic	1992
2.3	Forestry-management measures to reduce damage					
3.0	Measures and technologies for preventing water pollution	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environment and Natural Resources	3/3	Polish People's Republic	1990
				3/3	Federal Republic of Germany	1991
				3/3	Polish People's Republic	1992
3.1	Extent of the development of procedures and equipment for waste-water avoidance, treatment and purification in communities and industry					
3.2	Methods for measuring, assessing and forecasting the quality of surface water and groundwater; monitoring and warning systems for water samples					

1	2	3	4	5	6	7
3.3	Application and monitoring of water-pollution control standards					
4.0	Experience and measures concerning soil conservation and reclamation, and reclamation of old waste sites	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environmental Protection and Natural Resources	4/3	Federal Republic of Germany	1990
				4/3	Polish People's Republic	1991
				4/3	Federal Republic of Germany	1992
4.1	Soil pollution through air emissions and indirectly (e.g. heavy metals, acidifiers, plant protection agents) and soil endangerment through intensive agriculture					
4.2	Reclamation of polluted surface areas					
5.0	Avoidance, recycling and safe disposal of waste	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environmental Protection and Natural Resources	3/3	Polish People's Republic	1990
				3/3	Federal Republic of Germany	1991
				3/3	Polish People's Republic	1992
5.1	Waste-free and low-waste production technologies					
5.2	Processes and technologies for the recycling and safe disposal of wastes					
5.3	Local criteria for waste disposal sites, and reclamation methods					



<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>
5.4	Use of mine shafts after the extraction of hard and brown coal for waste storage					
5.5	Waste classification and cataloguing according to environmental risk and recycling possibilities (waste data bank)					
6.0	Environmental health and toxology, and hazardous substances	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environmental Protection and Natural Resources	3/3	Polish People's Republic	1990
				3/3	Federal Republic of Germany	1991
				3/3	Polish People's Republic	1992
6.1	Environmental health and toxicology with special emphasis on assessing man's overall exposure to pollutants from the air, water, soil and food chain					
6.2	Hazardous substances					
6.2.1	Strategies and measures to reduce or prohibit the production or use of hazardous substances					
6.2.2	Handling of hazardous substances					

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>
7.0	Experience and measures in the area of nature conservation	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environmental Protection and Natural Resources	3/3	Federal Republic of Germany	1990
				3/3	Polish People's Republic	1991
				3/3	Federal Republic of Germany	1992
7.1	General nature-conservation issues (organization, hazardous situations and lists of endangered species and biotopes, planning tools, protected-area systems, promotional measures)					
7.2	Strategies to protect species and biotopes (biotope mapping), consideration of species- and biotope-protection in landscape planning and intervention regulation					
8.0	General environmental policy, environmental law, economic aspects of environmental policy, promotion of environment awareness	Federal Ministry for the Environment, Nature Conservation and Reactor Safety	Ministry for Environmental Protection and Natural Resources	3/3	Federal Republic of Germany	1990
				3/3	Polish People's Republic	1991
				3/3	Federal Republic of Germany	1992
8.1	Basic principles of environmental policy, collaboration with agencies and institutions, the role of the media and social groups					

	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>
8.2	Environmental law						
8.3	Environmental compatibility testing						
8.4	Economic aspects of environmental protection, particularly economic tools in environmental protection and agricultural losses owing to environmental pollution						

WORK PROGRAMME FOR EACH OF THE INITIAL MEETINGS ON THE TOPICS SET FORTH IN THE WORK PLAN FOR THE PERIOD 1990-1992 IN IMPLEMENTATION OF THE AGREEMENT OF NOVEMBER 1989 BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC ON COOPERATION IN ENVIRONMENTAL PROTECTION

The talks between experts will be supplemented, where possible, with visits to appropriate facilities.

The work programme for each subsequent meeting will be coordinated by the experts on the basis of the topics set forth in the work plan.

*Work programme for item No. 1.1 of the work plan*

Normative and process-engineering measures to reduce dust-, phosphorous- and nitrogen-oxide emissions from industrial plants by installing exhaust-purification systems or using environmentally sound production processes.

1. Normative emissions-reduction measures, particularly in large-fire plants, and the extent of their implementation.

2. Process-engineering for emissions reduction, particularly the de-sulphurization of fumes.

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*Work programme for item No. 1.2 of the work plan*

Measures to detect and assess pollution emissions and immissions, cadastral surveying, measuring techniques, cooperation in developing an early-warning system for smog conditions which may have a transboundary effect, general use of expansion estimates.

1. Normative measures to detect air-polluting substances, including measurement and assessment, and techniques to be used in plans for preventing air pollution.
2. Techniques for early-warning smog-detection systems, including possibilities for data exchange.
3. Assessment procedures for the transport of air pollutants.

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*Work programme for item No. 1.3 of the work plan*

Measures to reduce CO<sub>2</sub> emissions and other greenhouse gases

1. Heating and energy plants
2. Industry and trade
3. Buildings
4. Small consumers

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*Work programme for item No. 2.0 of the work plan*

Monitoring and ascertaining forest damage, including its causes and measures to combat it

1. Monitoring forest conditions and ascertaining forest damage
2. Effects of air-polluting substances: sulphur dioxide, nitrogen oxide, ozone and photo-oxidants—in isolation and in combinations

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*Work programme for item No. 3.0 of the work plan*

Measures and technologies for preventing water pollution

Extent of the development of procedures and equipment for waste-water avoidance and treatment in communities and industry

1. Water purification in communities

— Extent of waste-water purification

— Planning

— More intensive waste-water purification (e.g.: phosphorus elimination, nitrification, denitrification, filtration)

2. Waste-water purification in the field of industry

— Possibilities for reducing waste water and the pollutants in it through

— modification of procedural techniques

— repeated or cyclical use

— Extraction of useful components of waste water

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*Work programme for item No. 4.0 of the work plan*

Experience and measures concerning soil conservation and land recultivation

1. Introduction of acidifiers and heavy metals into the soil from the air and through fertilizing
2. Heavy metal concentration and mobility in soil polluted naturally and by man

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*Work programme for item No. 5.0 of the work plan*

Avoidance, recycling and safe disposal of wastes

1. Waste-free and low-waste production technologies
2. Processes and technologies for the recycling and safe disposal of wastes
3. Local criteria for waste-disposal sites, recultivation methods
4. Use of mine shafts after the extraction of hard and brown coal for waste storage

5. Waste classification and cataloguing according to environmental risks and treatment possibilities (waste data bank)

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*Work programme for Item No. 6.0 of the work plan*

Environmental health and environmental toxicology, hazardous substances

6.1 Environmental health and toxicology with special emphasis on assessing man's overall exposure to pollutants from the air, water, soil and food chain

1. Current risk to man posed by air-polluting substances
2. Information and exchange of experience with regard to assessing particularly critical pollution vectors and materials: air–drinking water–food
3. Methods and procedures for averting the risks posed by hazardous substances to the population

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*Work programme for item No. 7.0 of the work plan*

Experience and measures in the area of nature conservation

1. Reciprocal information on the extent and growth of the risks posed to animal and plant species

- List of endangered species
- List of endangered biotopes
- The situation thus far
- Prospects for further growth

2. Strategies and concepts for the protection of species and biotopes

- Current views of scientific experts
- Legal instruments
- Administrative action
- Research

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*Work programme for item No. 8.0 for the work plan*

General environmental policy, environmental law, economic aspects of environmental policy, promotion of environmental awareness

*Work area 8.1*

General environmental policy

1. Fundamental principles of environmental policy
2. Cooperation on the part of agencies and institutions
3. The role of social groups, associations and societies
4. The role of the media
5. Database for environmental protection, methods for analysing environmental quality

*Work area 8.4*

1. Economic instruments in environmental protection
  - 1.1 Investigation of economic-control instruments
    - Practical application/review of economic instruments
    - Possibilities for expanding economic instruments in environmental protection
  - 1.2 Financing systems for environmental-protection investments
    - Exchange of data on environmental-protection investments and financing assistance
    - Incentive-effect of financial assistance
2. Economic loss through environmental pollution
  - Cost-benefit analysis
  - Assessment of the cost of environmental protection and failure to provide environmental protection; the benefits of environmental-protection measures
  - Examples of practical applications

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This work plan, including the work programmes, forms the first work plan under article 3 of the Agreement and enters into force simultaneously with the Agreement.

Accept, Sir, the assurance of my highest consideration.

[*Signed*]

ANDRZEJ GERHARDT

Head of the Delegation  
of the Polish People's Republic

## [TRANSLATION]

HEAD OF THE DELEGATION  
OF THE FEDERAL REPUBLIC  
OF GERMANY

Warsaw, 10 November 1989

Sir,

I have the honour to acknowledge receipt of your letter dated 10 November 1989, which reads as follows:

[*See note I*]

I have the honour to inform you that my Government agrees with the contents of your letter.

Accept, Sir, the assurance of my highest consideration.

EGON HERFELDT

Head of the Delegation  
of the Polish People's Republic

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## [TRADUCTION]

LE CHEF DE LA DÉLÉGATION  
DE LA RÉPUBLIQUE FÉDÉRALE  
D'ALLEMAGNE

Varsovie, le 10 novembre 1989

Monsieur,

J'ai l'honneur d'accuser réception de votre lettre du 10 novembre 1989 dont le texte en langue allemande est le suivant :

[*Voir note I*]

Je vous confirme que vos propositions rencontrent l'agrément de mon Gouvernement.

Veillez agréer, Monsieur, etc.

[*Signé*]

EGON HERFELDT

Chef de la délégation  
de la République populaire de Pologne

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