

No. 5518

**UNITED STATES OF AMERICA
and
POLAND**

**Agreement (with annex and exchange of notes) regarding
claims of nationals of the United States. Signed at
Washington, on 16 July 1960**

Official texts: English and Polish.

Registered by the United States of America on 6 January 1961.

**ÉTATS-UNIS D'AMÉRIQUE
et
POLOGNE**

**Accord (avec annexe et échange de notes) relatif aux de-
mandes d'indemnisation de ressortissants des États-
Unis. Signé à Washington, le 16 juillet 1960**

Textes officiels anglais et polonais.

Enregistré par les États-Unis d'Amérique le 6 janvier 1961.

No. 5518. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC REGARDING CLAIMS OF NATIONALS OF THE UNITED STATES. SIGNED AT WASHINGTON, ON 16 JULY 1960

The Government of the United States of America and the Government of the Polish People's Republic desiring to effect a settlement of claims of nationals of the United States against Poland and desiring to advance economic relations between the two countries,

Have agreed as follows :

Article I

A. The Government of the Polish People's Republic, hereinafter referred to as the Government of Poland, agrees to pay, and the Government of the United States agrees to accept, the sum of \$40,000,000.00 United States currency in full settlement and discharge of all claims of nationals of the United States, whether natural or juridical persons, against the Government of Poland on account of the nationalization and other taking by Poland of property and of rights and interests in and with respect to property, which occurred on or before the entry into force of this Agreement.

B. Payment of the sum of \$40,000,000.00 by the Government of Poland shall be made to the Secretary of State of the United States in twenty annual installments of \$2,000,000.00 United States currency, each installment to be paid on the tenth day of January, commencing on the tenth day of January 1961.

Article II

Claims to which reference is made in Article I and which are settled and discharged by this Agreement are claims of nationals of the United States for

- (a) the nationalization or other taking by Poland of property and of rights and interests in and with respect to property;
- (b) the appropriation or the loss of use or enjoyment of property under Polish laws, decrees or other measures limiting or restricting rights and interests in and with respect to property, it being understood that, for the purpose of

¹ Came into force on 16 July 1960, the date of signature, in accordance with article VIII.

this clause, the date of appropriation or the loss of use or enjoyment is the date on which such Polish laws, decrees or other measures were first applied to the property; and

- (c) debts owed by enterprises which have been nationalized or taken by Poland and debts which were a charge upon property which has been nationalized, appropriated or otherwise taken by Poland.

Article III

The amount paid to the Government of the United States under Article I of this Agreement shall be distributed in such manner and in accordance with such methods of distribution as may be adopted by the Government of the United States.

Article IV

After the entry into force of this Agreement the Government of the United States will neither present to the Government of Poland nor espouse claims of nationals of the United States against the Government of Poland to which reference is made in Article I of this Agreement. In the event that such claims are presented directly by nationals of the United States to the Government of Poland, the Government of Poland will refer them to the Government of the United States.

Article V

A. With a view to assisting the Government of the United States in its distribution among claimants of the sum to be paid by the Government of Poland, the Government of Poland will, upon the request of the Government of the United States, furnish such information or evidence, including details as to ownership and value of property and rights and interests in and with respect to property, as may be necessary or appropriate for that purpose and, in the event that such information or evidence is deemed insufficient, permit examination by representatives of the Government of the United States, to the extent allowed by Polish laws, of property which it is claimed has been nationalized or taken by Poland.

B. With a view to protecting the Government of Poland from the possible assertion through third countries, or otherwise, of claims settled by this Agreement, the Government of the United States will furnish to the Government of Poland copies of such formal statements of claims as may be made by claimants and copies of decisions with respect to the validity and amounts of claims.

C. With respect to each claim found to be valid by the Government of the United States, the Government of the United States will furnish to the Govern-