

No. 8948

**BELGIUM, LUXEMBOURG
and
POLAND**

**Agreement concerning compensation for certain Belgian
and Luxembourg interests in Poland (with annex and
Protocol of Implementation). Signed at Warsaw, on
14 November 1963**

Official texts: French and Polish.

Registered by Belgium on 30 January 1968.

**BELGIQUE, LUXEMBOURG
et
POLOGNE**

**Accord concernant l'indemnisation de certains intérêts belges
et luxembourgeois en Pologne (avec annexe et Protocole
d'exécution). Signé à Varsovie, le 14 novembre 1963**

Textes officiels français et polonais.

Enregistré par la Belgique le 30 janvier 1968.

[TRANSLATION — TRADUCTION]

No. 8948. AGREEMENT¹ BETWEEN THE GOVERNMENT OF BELGIUM AND THE GOVERNMENT OF THE GRAND DUCHY OF LUXEMBOURG, ON THE ONE HAND, AND THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC, ON THE OTHER HAND, CONCERNING COMPENSATION FOR CERTAIN BELGIAN AND LUXEMBOURG INTERESTS IN POLAND. SIGNED AT WARSAW, ON 14 NOVEMBER 1963

The Belgian Government and the Luxembourg Government, on the one hand, and the Government of the Polish People's Republic, on the other hand,

Desiring to effect a final settlement of questions relating to compensation for Belgian and Luxembourg property, rights and interests affected by Polish nationalization measures and by other measures of a general character affecting property rights,

Have agreed as follows :

Article I

The Polish Government shall pay global, lump-sum compensation for Belgian and Luxembourg property, rights and interests affected by Polish nationalization measures and by other Polish measures of a general character, taken before the signature of this Agreement, affecting property rights. These measures are hereinafter referred to as "the said Polish measures".

Article II

Under the terms of this Agreement, Belgian and Luxembourg property, rights and interests shall be deemed to be property, rights and interests belonging, directly or indirectly, on the date of the "said Polish measures" and on the date of signature of this Agreement, to individuals of Belgian or Luxembourg nationality or to bodies corporate which have their head offices in Belgium or in the Grand Duchy of Luxembourg and in which the majority interest is Belgian or Luxembourg.

A list annexed to this Agreement for information purposes gives the names of the principal Belgian and Luxembourg compensation claimants known at the time of signature of this Agreement.

¹ Came into force on 21 November 1966, the date on which the Contracting Parties notified each other that the required constitutional formalities had been completed, in accordance with article XII.

Article III

This Agreement does not cover :

1. Assets and bank accounts belonging to Belgian or Luxembourg nationals to which the Polish legislation on this subject applies;
2. Claims by Belgian or Luxembourg nationals against Polish debtors, particularly claims arising out of commercial transactions, except those against enterprises or companies incorporated under Polish law which were affected by the "said Polish measures";
3. Benefits under life insurance policies taken out by Belgian or Luxembourg nationals;
4. Bonds issued by the Polish State or by Polish territorial or communal bodies.

Article IV

The global, lump-sum compensation to be paid by the Polish Government for the property, rights and interests specified in article II is fixed at an amount of 600 million Belgian francs say six hundred million Belgian francs.

Article V

Payment of the compensation mentioned in article IV shall be made in annual instalments in Belgian francs.

Each annual instalment shall represent an amount equivalent to the following percentages of the total above two hundred and fifty million Belgian francs of the net payments, excluding costs and services, made during the preceding calendar year, in Belgian francs or in convertible currencies, by order of residents of the Belgo-Luxembourg Economic Union, for Polish exports to the said Union, namely :

Five per cent of the portion of the total annual net payments between two hundred and fifty and seven hundred million Belgian francs;

Eight per cent of the total annual net payments above seven hundred million Belgian francs.

Article VI

The compensation to be paid in implementation of this Agreement shall be applied to the indemnification of all the interests specified in article II.

The Polish Government shall transmit to the Belgian Government and the Luxembourg Government respectively, for the purposes of examination and settlement, if appropriate, any applications received from Belgian or Luxembourg claimants or their assigns citing the "said Polish measures" as having affected a property, right or interest specified in the first paragraph of article II.