

No. 33520

**EUROPEAN ECONOMIC COMMUNITY
and
POLAND**

Agreement on trade and commercial and economic cooperation (with annexes, exchanges of letters, final act, joint declarations and declaration by Poland). Signed at Warsaw on 19 September 1989

*Authentic texts: Spanish, Danish, German, Greek, English, French, Italian, Dutch, Portuguese and Polish.**

Registered by the Secretary-General of the Council of the European Union, acting on behalf of the Parties, on 15 January 1997.

**COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE
et
POLOGNE**

Accord concernant le commerce et la coopération commerciale et économique (avec annexes, échanges de lettres, acte final, déclarations communes et déclaration de la Pologne). Signé à Varsovie le 19 septembre 1989

Textes authentiques : espagnol, danois, allemand, grec, anglais, français, italien, néerlandais, portugais et polonais.*

Enregistré par le Secrétaire général du Conseil de l'Union européenne, agissant au nom des Parties, le 15 janvier 1997.

* The authentic Spanish, Danish, German, Greek and English texts are reproduced herein. The authentic French, Italian, Dutch, Portuguese and Polish texts are reproduced in volume 1960 — Les textes espagnol, danois, allemand, grec et anglais sont reproduits dans le présent volume. Les textes français, italien, néerlandais, portugais et polonais sont reproduits dans le volume 1960.

AGREEMENT¹ BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE POLISH PEOPLE'S REPUBLIC ON TRADE AND COMMERCIAL AND ECONOMIC CO-OPERATION

THE EUROPEAN ECONOMIC COMMUNITY, hereinafter called "the Community",

of the one part, and

THE POLISH PEOPLE'S REPUBLIC, hereinafter called "Poland",

of the other part,

CONSIDERING the importance in the European context of the traditional links between the Community and Poland,

TAKING INTO ACCOUNT the favourable implications for trade and economic relations between the Contracting Parties of their respective economic situations and policies,

DESIROUS of creating favourable conditions for the harmonious development and diversification of trade and the promotion of commercial and economic co-operation on the basis of equality, non-discrimination, mutual benefit and reciprocity,

HAVING regard to the particular importance of foreign trade and other forms of international economic co-operation as factors of economic and social development and as sources of appropriate financial resources,

HAVING REGARD to the importance of giving full effect to the Final Act of the Conference on Security and Co-operation in Europe,² the Concluding Document of the Madrid meeting³ and in particular the Concluding Document of the Vienna meeting,⁴

¹ Came into force on 1 December 1989, by notification in accordance with article 23.

² *International Legal Materials*, vol. XIV (1975), p. 1292 (American Society of International Law).

³ *Ibid.*, vol. XXII (1983), p. 1395 (American Society of International Law).

⁴ *Ibid.*, vol. XXVIII (1989), p. 527 (American Society of International Law).

REAFFIRMING the commitment of the Contracting Parties to the General Agreement on Tariffs and Trade¹ and the undertakings they have given in this context,

RECALLING the status of Poland at the International Monetary Fund and the World Bank,

BELIEVING that a further impetus should be given to the trading and economic relationship between the Community and Poland,

RECOGNIZING that the Community and Poland desire to establish wider-ranging and closer contractual links that permit further development at a later stage,

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

THE EUROPEAN ECONOMIC COMMUNITY:

Roland DUMAS,

Ministre d'Etat, Minister for Foreign Affairs
of the French Republic,
President-in-Office of the Council of the European Communities

Frans ANDRIESSEN,

Vice-President of The Commission of the European Communities

THE POLISH PEOPLE'S REPUBLIC:

Krzysztof SKUBISZEWSKI,

Minister for Foreign Affairs

Marcin ŚWIĘCICKI,

Minister for External Economic Co-operation

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

¹ United Nations, *Treaty Series*, vol. 55, p. 187.

ARTICLE 1

The two Parties undertake to facilitate and promote trade and economic co-operation with each other.

TITLE I

Trade and commercial co-operation

ARTICLE 2

The Contracting Parties reaffirm their commitment to accord each other most-favoured nation treatment in accordance with the General Agreement on Tariffs and Trade (GATT) and the Protocol for the accession of Poland¹ thereto.

ARTICLE 3

1. This Agreement shall apply to trade in all products originating in the Community or in Poland with the exception of the products covered by the Treaty establishing the European Coal and Steel Community.²
2. Unless otherwise specified in this Agreement, trade and other commercial co-operation between the Contracting Parties shall be conducted in accordance with their respective regulations.

ARTICLE 4

1. This Agreement shall not affect the provisions of the existing Agreements concerning trade in textile products between the Community and Poland, nor of any agreements subsequently concluded in the same field.

¹ United Nations, *Treaty Series*, vol. 609, p. 236.

² *Ibid.*, vol. 261, p. 140.

Furthermore, should the Community invoke paragraph 24 of the Protocol extending the Arrangement regarding International Trade in Textiles of 31 July 1986,¹ the provisions of the said Arrangement shall apply to the products in question.

Not later than six months before the expiry of the Agreements concerning trade in textile products referred to above, the Contracting Parties shall consult each other with a view to determining the arrangements to be applied to trade in textile products after the expiry of the said Agreements.

2. This Agreement shall not affect specific agreements or arrangements covering agricultural products in force between the Contracting Parties, or any successor agreements or arrangements.

ARTICLE 5

1. In the framework of their respective laws and regulations, the Contracting Parties shall adopt appropriate measures to attain the objectives of this Agreement.

2. To that end, they confirm their resolve to consider favourably, each for its own part, suggestions made by the other party with a view to attaining the said objectives.

ARTICLE 6

Each Contracting Party shall accord the highest degree of liberalization which they generally apply to third countries to imports of the other's products taking into account the provisions of the GATT and of the Protocol for the accession of Poland thereto; to this end the Community undertakes to phase out over the initial period of application of this Agreement referred to in Article 23 the quantitative restrictions referred to in Article 3(a) of the Protocol for the accession of Poland to the GATT in accordance with the provisions and in respect of the products referred to in Articles 7 to 9 of this Agreement.

¹ United Nations, *Treaty Series*, vol. 1441, p. 284.