

**TRADE AGREEMENT BETWEEN THE FEDERAL PEOPLE'S REPUBLIC
OF YUGOSLAVIA AND THE REPUBLIC OF POLAND FOR THE PERIOD
1 JUNE 1948 TO 31 DECEMBER 1948. SIGNED AT WARSAW,
ON 12 APRIL 1948**

By virtue of the Five-year Agreement of 24 May 1947 on exchange of goods between the Federal People's Republic of Yugoslavia and the Republic of Poland, and desiring to develop exchange of goods between the two countries, the Government of the Federal People's Republic of Yugoslavia and the Government of the Republic of Poland have agreed as follows:

Article 1

During the period of validity of this Agreement, the Governments of the two Contracting Parties shall issue the requisite licences for the import and export of the goods enumerated in Lists 1 and 2 annexed to this Agreement.

Article 2

The goods to be delivered by the Federal People's Republic of Yugoslavia to the Republic of Poland during the validity of this Agreement are enumerated in List 1, which shall form an integral part of this Agreement.

The goods to be delivered by the Republic of Poland to the Federal People's Republic of Yugoslavia during the validity of this Agreement are enumerated in List 2, which shall form an integral part of this Agreement.

Article 3

The two Governments shall by previous agreement authorize the delivery of goods not enumerated in Lists 1 and 2 and the extension of the quotas of specified articles enumerated in those Lists.

Article 4

Deliveries of goods provided for by this Agreement shall be made under contracts of purchase and sale to be concluded between authorized institutions, undertakings and persons in the Federal People's Republic of Yugoslavia and in the Republic of Poland.

The Government of the Federal People's Republic of Yugoslavia and the Government of the Republic of Poland shall take appropriate steps to ensure regular and punctual delivery of the goods enumerated in Lists 1 and 2. Both Governments shall likewise take steps to ensure that the authorized institutions, undertakings or persons shall conclude contracts of purchase and sale in due time, and not later than two months after the signing of this Agreement.

Article 5

Deliveries from the Federal People's Republic of Yugoslavia to the Republic of Poland shall be free at the Yugoslav-Hungarian frontier or FOB a Yugoslav port.

Deliveries from the Republic of Poland to the Federal People's Republic of Yugoslavia shall be free at the Polish-Czechoslovak frontier or FOB a Polish port.

Contracts of purchase and sale may also provide other methods of free delivery of goods.

Article 6

Obligations arising out of contracts of purchase and sale concluded under article 4 of this Agreement shall be fulfilled without regard to the period of validity of this Agreement.

If during the period of validity of this Agreement a party fails, for reasons outside its control or specified in a contract, to fulfil a contract of purchase and sale and a balance is thereby produced in favour of the other party, the debtor party shall forthwith prepare in agreement with the other party a list of goods which it shall deliver to the creditor country, at the prices and under the conditions laid down by this Agreement, in settlement of the balance.

Article 7

All payments arising from deliveries of goods shall be made in accordance with the Payments Agreement, which shall form an integral part of this Agreement.

Article 8

Questions pertaining to transport and transit shall be settled by the Ministries of Communications of the two Contracting Parties in a Protocol on communications.

Article 9

The Mixed Commission established by article 10 of the Five-year Agreement on Exchange of Goods between the Federal People's Republic of Yugoslavia and the Republic of Poland, of 24 May 1947, shall determine the most expedient means of giving effect to this Agreement.

The principal functions of the Mixed Commission shall be:

(a) to supervise the execution of the Agreement; to submit proposals for the extension and improvement of exchanges of goods and payments between the two Contracting Parties; to settle all differences which may arise in exchange of goods and payment.

(b) to submit proposals to the two Governments pursuant to articles 3, 4, 6 and 10 of this Agreement.

The Mixed Commission shall meet at the request of either of the Contracting Parties whenever necessary, but not less than twice yearly. On receipt of such a request from one of the Contracting Parties, the Mixed Commission shall meet within 20 days in the country of the other Contracting Party.

The two Contracting Parties shall within 30 days of the entry into force of this Agreement notify to each other the composition of the Mixed Commission. The conclusions of the Mixed Commission shall become binding after confirmation by the Governments of the two Contracting Parties.

Article 10

If, on the expiration of this Agreement and after the fulfilment of all the quotas contained in Lists 1 and 2, a balance is shown in the Banks' accounts in favour of one of the Contracting Parties, the balance shall be liquidated within three months by agreement by the provision either of goods contained in Lists 1 and 2 or of other goods at the prices and on the conditions laid down in this Agreement.

Article 11

In view of the desire of the Governments of the two Contracting Parties to extend exchange of goods, when the whole of the time appointed for the fulfilment of a transaction succeeds the expiration of this Agreement, the Governments of the two Contracting Parties shall consider favourably the possibility of increasing deliveries either of goods contained in Lists 1 and 2 or of other goods.

Such transactions shall be reckoned against a new agreement and shall be taken into account in new quota lists.

Article 12

This Agreement is done in two identical copies each in Polish and Serbo-Croat, both texts being equally authentic.

This Agreement shall enter into force on 1 June 1948 and shall remain in force until 31 December 1948.

Warsaw, 12 April 1948

For the Government
of the Federal People's Republic
of Yugoslavia:
(Signed) B. ZLATARIĆ

For the Government
of the Republic of Poland:

(Signed) L. HOROVIC

[Quelle: United Nations, Treaty Series, vol.115, 1951, p. 202-208.]