

**No. 29544**

---

**FEDERAL REPUBLIC OF GERMANY  
and  
POLAND**

**Treaty on good neighbourly relations and friendly cooperation (with related letters). Signed at Bonn on 17 June 1991**

*Authentic texts: German and Polish.*

*Registered by Germany on 28 January 1993.*

---

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
POLOGNE**

**Traité de bon voisinage et de coopération amicale (avec lettres connexes). Signé à Bonn le 17 juin 1991**

*Textes authentiques : allemand et polonais.*

*Enregistré par l'Allemagne le 28 janvier 1993.*

[TRANSLATION — TRADUCTION]

TREATY<sup>1</sup> BETWEEN THE FEDERAL REPUBLIC OF GERMANY  
AND THE REPUBLIC OF POLAND ON GOOD NEIGHBOURLY  
RELATIONS AND FRIENDLY COOPERATION

---

The Federal Republic of Germany and the Republic of Poland,

In the endeavour to close the painful chapters of the past, and determined to pick up the thread of the good traditions and friendly coexistence over the centuries-long history of Germany and Poland,

In view of the historic changes in Europe, in particular the establishment of German unity, and the profound political, economic and social change in Poland,

Convinced of the need to overcome the division of Europe once and for all and to establish a just and lasting peaceful order in Europe,

Aware of their common interests and their common responsibility for the building of a new, free Europe, unified by human rights, democracy and constitutionality,

Firmly convinced that, by realizing the long-standing wish of both their peoples for understanding and reconciliation, they are making a weighty contribution to the maintenance of peace in Europe,

Recognizing that economic cooperation is a necessary element in the development of comprehensive mutual relations on a stable and firm foundation, in the mitigation of the disparity in development and in the strengthening of trust between the two countries and their peoples, and also wishing to expand and intensify this cooperation substantially in the future,

Aware of the importance that the membership of the Federal Republic of Germany in the European Community and the political and economic drawing of the Republic of Poland into the ambit of the European Community have for the future relations of the two States,

Having in mind the unmistakable contribution of the German and Polish peoples to the common cultural heritage of Europe and the centuries-long mutual enrichment of both peoples' cultures and the importance of cultural exchange for mutual understanding and reconciliation of peoples,

Convinced that the younger generation has a special role to play in placing the relations between the two countries and peoples on a new footing and building trust between them,

In appreciation of the Treaty of 14 November 1990 between the Federal Republic of Germany and the Republic of Poland concerning the demarcation of the established and existing Polish-German state frontier,<sup>2</sup>

Have agreed as follows:

---

<sup>1</sup> Came into force on 16 January 1992 by the exchange of the instruments of ratification, which took place at Warsaw, in accordance with article 38 (1) and (2).

<sup>2</sup> See p. 377 of this volume.

### Article 1

1. The Contracting Parties shall shape their relations in a spirit of good neighbourliness and friendship. They shall strive for close, peaceful cooperation, based on principles of partnership, in all spheres. In a spirit of European responsibility, they shall endeavour to realize the wish of both their peoples for lasting understanding and reconciliation.

2. The Contracting Parties shall strive for the creation of a Europe in which human rights and fundamental freedoms are respected and borders lose their dividing nature, *inter alia*, through the bridging of economic and social disparities.

### Article 2

The Contracting Parties profess their commitment, in shaping their relations and in matters relating to peace, security and cooperation in Europe and in the world, in particular to the following principles:

- The primary goal of their policy shall be to keep and strengthen the peace and reliably to prevent any type of war.
- They shall act in consonance with international law, in particular the Charter of the United Nations, and with the Final Act of the Helsinki Conference on Security and Cooperation in Europe, of 1 August 1975,<sup>1</sup> the Charter of Paris for a New Europe of 21 November 1990<sup>2</sup> and the documents of the CSCE follow-up meetings.
- They shall mutually respect their sovereign equality, their territorial integrity, the inviolability of their borders, their political independence and the principle of the prohibition of the threat or the use of violence.
- They shall confirm the right of all peoples and States to determine their fate freely and without external interference, and to shape their political, economic, social and cultural development as they see fit.
- They shall place the human person with his dignity and rights, and concern for the survival of humanity and preservation of the natural environment at the centre of their policy.
- They shall clearly and unequivocally condemn totalitarianism, racism, hatred between groups of people, anti-Semitism, xenophobia and discrimination against any individual, as well as persecution on religious and ideological grounds.
- They shall look upon minorities and analogous groups as natural bridges between the German and Polish peoples and are confident that these minorities and groups will make a valuable contribution to the life of their societies.
- They shall confirm the direct applicability of the general rules of international law in domestic law and in international relations and shall be determined to fulfill their treaty obligations conscientiously. They shall implement the Final Act of Helsinki, the Charter of Paris for a New Europe and the other CSCE documents in all spheres.

<sup>1</sup> *International Legal Materials*, vol. XIV (1975), p. 1292 (American Society of International Law).

<sup>2</sup> United Nations, *Official Records of the General Assembly, Forty-fifth session*, document No. A/45/859, p. 3.

### *Article 3*

1. The Contracting Parties shall hold regular consultations in order to ensure further development and intensification of bilateral relations and to harmonize their positions on international matters.

2. Consultations at the head-of-Government level shall take place as often as required, but at least once a year.

3. The foreign ministers shall be responsible for seeing that this treaty is implemented as a whole. They shall meet at least once a year for consultations. Senior officials of the two foreign ministries responsible for political, economic and cultural affairs shall meet regularly, at least once a year, for consultations.

4. Other ministers, including the defence ministers, shall have regular contact. The same shall be true for senior officials of the other ministries concerned.

5. The already existing joint commissions shall where possible intensify their work. New mixed commissions shall where needed be established, after mutual agreement.

### *Article 4*

The Contracting Parties shall support contacts and exchange of experience between the parliaments to promote bilateral relations and with a view to international parliamentary cooperation.

### *Article 5*

1. The Contracting Parties affirm that they will refrain from the threat or use of force which is directed against the territorial integrity or the political independence of the other party or which is in any other way incompatible with the aims and principles of the Charter of the United Nations or with the Final Act of Helsinki.

2. The Contracting Parties shall settle their conflicts exclusively by peaceful means and never use any of their weapons, except for individual or collective self-defence. They shall never under any circumstances be the first to deploy armed forces against each other.

3. The Contracting Parties shall strengthen peace for Europe as a whole by building up cooperative security structures. Accordingly, they shall do everything in their power, in full implementation of the Final Act of Helsinki, the Charter of Paris for a New Europe and the other CSCE documents, to support the process of security and cooperation in Europe, and in cooperation with all the CSCE participating States, to further strengthen and develop it.

### *Article 6*

1. The Contracting Parties shall have the common goal, in a changing political and military environment in Europe, to work towards strengthening stability and increasing security. They shall cooperate in particular to take advantage of the new possibilities arising for common efforts in the sphere of security.

2. The Contracting Parties shall advocate reduction of armed forces and armaments, through binding and effectively verifiable agreements, to the lowest possible level adequate to ensure defence but not to permit attack.

3. The Contracting Parties shall, also jointly, strive for multilateral and bilateral development of confidence-building and stabilizing measures, as well as other

weapons-control policy measures which strengthen stability and confidence and lead to greater transparency.

#### *Article 7*

Should a situation arise which, in the view of one Contracting Party, represents a threat to peace or a breach of it, or may give rise to dangerous international complications, both Contracting Parties shall immediately establish contact with each other and endeavour to harmonize their positions and achieve agreement on appropriate measures for improving the situation or coping with it.

#### *Article 8*

1. The Contracting Parties attach the greatest importance to the goal of European unity based on human rights, democracy and the rule of law, and shall strive towards achievement of this unity.

2. By concluding an agreement of association between the European Communities and the Republic of Poland, the European Communities, their member States and the Republic of Poland shall lay the foundations for a political and economic approach of the Republic of Poland to the European Community. The Federal Republic of Germany shall further this approach to the extent possible.

3. The Federal Republic of Germany favourably views the prospect of accession of the Republic of Poland to the European Community as soon as the prerequisites for accession have been realized.

#### *Article 9*

1. The Contracting Parties shall strive towards an expansion and diversification of their economic relations in all spheres. In the context of their domestic laws and their commitments arising from international treaties, including commitments of the Federal Republic of Germany arising out of membership in the European Community, they shall create the most favourable framework conditions, particularly in the economic, legal and organizational spheres, for natural and juridical persons to carry out economic, including entrepreneurial, activities.

2. The Contracting Parties are in agreement that the economic reform process that has been introduced in the Republic of Poland should be promoted through international cooperation. The Federal Republic of Germany is prepared to work both bilaterally and multilaterally towards support for Poland's economic development in the context of a fully developed social market economy. In addition, the conditions for a substantial closing of the development gap should thereby be realized.

3. The Contracting Parties shall in particular support the development of cooperation in the areas of investment and capital placement, as well as industrial cooperation between German and Polish enterprises, taking full advantage of all available promotion instruments. In this connection, particular attention will be paid to cooperation between small and medium-sized firms and businesses.

4. The Contracting Parties attach importance in the development of bilateral relations to cooperation in the training and further training of technical personnel and managers for the economy, and are prepared to build it up and reinforce it considerably.