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**Poland
and
Yugoslavia (Federal Republic of)**

Agreement between the Government of the Republic of Poland and the Federal Government of the Federal Republic of Yugoslavia on the reciprocal promotion and protection of investments. Belgrade, 3 September 1996

Entry into force: *23 January 1997 by notification, in accordance with article 13*

Authentic texts: *English, Polish and Serbian*

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**Pologne
et
Yougoslavie (République fédérale de)**

Accord entre le Gouvernement de la République de Pologne et le Gouvernement fédéral de la République fédérale de Yougoslavie sur la promotion et la protection des investissements. Belgrade, 3 septembre 1996

Entrée en vigueur : *23 janvier 1997 par notification, conformément à l'article 13*

Textes authentiques : *anglais, polonais et serbe*

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AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF POLAND

AND

**THE FEDERAL GOVERNMENT OF THE FEDERAL REPUBLIC
OF YUGOSLAVIA**

ON THE RECIPROCAL PROMOTION AND

PROTECTION OF INVESTMENTS

PREAMBLE

The Government of the Republic of Poland and the Federal Government of the Federal Republic of Yugoslavia, hereinafter referred to as the "Contracting Parties",

Desiring to create favourable conditions for greater economic co-operation between the Contracting Parties,

Desiring to create and maintain favourable conditions for reciprocal investments,

Convinced that the promotion and protection of investments will contribute to the enhancement of entrepreneurial initiative and thereby significantly contribute to the development of economic relations between the Contracting Parties,

Have agreed as follows:

ARTICLE 1

DEFINITIONS

For the purposes of this Agreement:

1. The term "investment" shall mean every kind of assets invested by an investor of one Contracting Party in the territory of the other Contracting Party in accordance with the laws and regulations of the latter and shall include, in particular, though not exclusively:

- a) movable and immovable property and any other rights in rem, such as mortgages, liens or pledges;
- b) shares, parts, stocks, debentures as well as other kinds of securities of a company and any other form of participation in a company;
- c) claims to money or any other claim under contract having an economic value;
- d) intellectual property rights, such as copyrights and other neighbouring rights and industrial property rights, such as patents, licenses, industrial designs or models, trade marks as goodwill, technical processes and know-how;
- e) concessions granted in accordance with the laws and regulations of the Contracting Party in the territory whereof the investment is being made, including concessions to explore, extract and exploit natural resources.

Any change in the form in which assets are invested shall not affect their character as investments.

2. The term "returns" shall mean the amounts yielded by an investment and in particular, though not exclusively, includes: profits, capital gains, dividends, interests, royalties, patent and license fees and such other similar fees.

3. The term "investor" shall mean:
 - a) a natural person having the nationality of one Contracting Party and making investments in the territory of the other Contracting Party;
 - b) a legal entity incorporated, constituted or otherwise duly organized in accordance with the laws and regulations of one Contracting Party, having its headquarters in the territory of that Contracting Party and making investments in the territory of the other Contracting Party.

4. The term "territory" shall mean the area encompassed by land boundaries as well as the sea, seabed and its subsoil beyond the territorial sea over which the Contracting Party exercises, in accordance with its national laws and regulations and international law, sovereign rights or jurisdiction;

ARTICLE 2

PROMOTION AND PROTECTION OF INVESTMENTS

1. Each Contracting Party shall encourage and create favourable conditions for investors of the other Contracting Party to make investments in its territory and shall admit such investments, subject to its laws and regulations.

2. Investments of investors of each Contracting Party shall at all times be accorded fair and equitable treatment and shall enjoy full legal protection and security in the territory of the other Contracting Party.