

N° 2809.

BELGIQUE ET FRANCE

Convention ayant pour objet de régler les conflits en matière de recrutement militaire. Signée à Paris, le 12 septembre 1928.

BELGIUM AND FRANCE

Convention for the Settlement of Disputes in connection with Recruiting for Military Service. Signed at Paris, September 12, 1928.

¹ TRADUCTION. — TRANSLATION.

N^o 2809. — CONVENTION² BETWEEN BELGIUM AND FRANCE FOR THE SETTLEMENT OF DISPUTES IN CONNECTION WITH RECRUITING FOR MILITARY SERVICE. SIGNED AT PARIS, SEPTEMBER 12, 1928.

French official text communicated by the Belgian Minister for Foreign Affairs. The registration of this Convention took place September 10, 1931.

HIS MAJESTY THE KING OF THE BELGIANS and THE PRESIDENT OF THE FRENCH REPUBLIC having recognised the need for fresh regulations for the settlement of disputes in connection with recruiting for military service, the Undersigned, being duly authorised for the purpose, have agreed to the following provisions :

Article 1.

Persons born in France of a Belgian father and possessing Belgian nationality in the eyes of Belgian law but who are, in the eyes of French law, either French with a right of repudiation or capable of becoming French by declaration or by law, shall not be included in the lists of recruits for Belgian military service before they have completed twenty-two years of age, unless they so request.

Article 2.

The following persons shall not be included in the lists of recruits for French military service before they have completed twenty-two years of age, unless they so request :

(1) Persons born in Belgium of a French father, who are entitled to acquire Belgian nationality by option ;

(2) Unless they have renounced Belgian nationality French nationals who have legally become Belgians owing to the acquisition of Belgian nationality by one of their parents, whenever Belgian law recognises the collective effect, in respect of a minor of a change of nationality by an ascendant.

(3) Persons who, being Belgians in the eyes of Belgian law, are, in the eyes of French law, French with a right of repudiation, unless they have previously renounced this right.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Paris, September 16, 1929.

Article 3.

In the cases mentioned in Articles 1 and 2, persons who, by express or tacit option, have complied with the law on recruiting for military service in one of the two countries, shall be exempted from all military service in the other country.

Article 4.

Young men who have become French owing to the acquisition of French nationality by either of their parents in circumstances in which French law recognises the collective effects in respect of a minor of a change of nationality by an ascendant, shall not be called up for military service in Belgium.

Article 5.

Young men born in France one of whose ascendants is French and the other Belgian, or born in France of a Belgian ascendant also born in France, shall not if they are French without a right of repudiation under French Law, be called up for military service in Belgium unless they have, from the age of sixteen to twenty-one years, been habitually resident outside France or the territories under French authority and have not complied with the French Law on recruiting.

The inclusion in the French census lists of young men liable, under the previous paragraph, to be incorporated in Belgium, shall be postponed, unless the persons concerned desire otherwise, until they have completed twenty-two years of age.

Such persons shall be exempted from all military service in France if at that age they have complied with the Belgian Law on recruiting.

Article 6.

Citizens of the contracting countries who reside in the colonies, protectorates or mandated territories of either of the two countries shall, for the purposes of the present Convention, be deemed to be resident in the home territory.

Article 7.

The two Governments shall exchange as soon as possible the official documents received by their respective authorities in the cases referred to in the present Convention.

They shall also report to each other any cases of persons who have evaded military service in one of the two countries on the plea that they are nationals of the other country.

Article 8.

Persons who before the putting into force of the present Convention have fulfilled their active military service obligations in one of the two countries shall not be required to serve in the other.

Article 9.

Children of diplomatic agents or career consuls shall retain the nationality of their parents unless they claim, within the limits prescribed by law, the benefit of the laws of the country in which they are born.

Article 10.

The present Convention shall be concluded for five years as from the date of the exchange of ratifications. If neither High Contracting Party has within twelve months before the expiry of this period notified the other of its intention to denounce the Convention, the Convention shall remain in force for one year commencing on the date on which one of the Parties has denounced it.

The effects of the Convention shall become automatically inoperative in the case of mobilisation in France or in Belgium and during the whole period of mobilisation.

In faith whereof the respective Plenipotentiaries have signed the present Convention.

Done in duplicate in Paris, September the twelfth, one thousand nine hundred and twenty-eight.

(Signed) A. Obert DE THIEUSIES,
Belgian Chargé d'Affaires
ad interim in Paris.

(Signed) A. BRIAND,
Minister for Foreign Affairs
of the French Republic.