

N° 220.

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## POLOGNE ET SUÈDE

Echange de notes comportant un arrangement relatif à l'échange de notifications concernant les aliénés. Varsovie, les 30 mai, 26 novembre et 27 décembre 1921.

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## POLAND AND SWEDEN

Exchange of Notes constituting an agreement concerning exchange of notifications with regard to persons of unsound mind. Warsaw, May 30, November 26, December 27, 1921.

<sup>1</sup> TRADUCTION. — TRANSLATION.

No. 220. — EXCHANGE OF NOTES BETWEEN THE GOVERNMENTS OF POLAND AND SWEDEN CONSTITUTING AN AGREEMENT CONCERNING EXCHANGE OF NOTIFICATIONS WITH REGARD TO PERSONS OF UNSOUND MIND. WARSAW, MAY 30, NOVEMBER 26, DECEMBER 27, 1921.

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*French official text communicated by the Swedish Minister for Foreign Affairs. The registration of this exchange of notes took place on January 18, 1922.*

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SWEDISH LEGATION.

WARSAW, May 30, 1921.

SIR,

In its Note of October 6 last, the Ministry for Foreign Affairs requested the Swedish Legation always to annex to the repatriation claims of Polish subjects who have become mentally deranged, their medical certificates issued by the Swedish establishment where the patients have been treated, and to inform it as to the numbers of attendants, either special or ordinary, required for supervision on the journey.

The Royal Legation has duly submitted to its Government the request formulated by the Ministry for Foreign Affairs, and I am instructed to transmit to Your Excellency the following communication in reply.

In accordance with the provisions of reciprocal Conventions concluded between Sweden and several other countries, the admission to Swedish asylums of mental patients who are nationals of those countries, their discharge from such establishments, and their death have, for some time past, been regularly communicated to the Governments of their respective countries through the medium of their diplomatic representatives accredited to His Majesty the King.

The purpose of these communications is to allow the patient's relatives to be informed and to enable the latter to safeguard their interests, together with those of the patient. At the same time they provide an opportunity for the authorities of the patient's country to take the necessary steps to make provision for the care of his person and estate.

As my Government deems it highly expedient that it should receive similar information concerning any Swedish national becoming mentally deranged abroad, I have been asked to submit to Your Excellency the following articles, which would take effect reciprocally.

*Article 1.*

Should any Polish subject be attacked in Sweden with mental disease, his confinement in a lunatic asylum or his release from such an institution or his death, as the case may be, shall be notified to the Polish Legation at Stockholm.

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<sup>1</sup> Traduit par le Secrétariat de la Société des Nations.

<sup>1</sup> Translated by the Secretariat of the League of Nations.

*Article 2.*

In the notifications provided for under Article 1, mention shall be made of the name of the lunatic asylum where the patient is confined, and they shall, if possible, contain the following information regarding the patient :

- (1) Name and surname ;
- (2) Date and place of birth ;
- (3) Trade or profession ;
- (4) Place of residence at the time when the confinement in the lunatic asylum took place ;
- (5) The patient's last place of residence in his native country ;
- (6) Name and surname, etc., of the father and mother, or, if these are dead, the names and surnames of the nearest relatives with information as to their domicile ;
- (7) If the patient is married, name and surname of the husband or wife, and the indication of his or her domicile ;
- (8) The date at which the patient was confined in the institution, or on which he left it, or on which he died ;
- (9) The name of the person at whose request the patient was confined in the institution ;
- (10) If the patient was admitted on a medical report, the date of this report and the name and residence of the doctor ;
- (11) The condition of the patient and whether his state allows of his repatriation, and also an indication of the number of attendants required in order to take care of the patient during the journey.

*Article 3.*

In all cases where the Swedish Government demands the repatriation of a Polish subject suffering from mental disease, the request shall be accompanied by a notification containing the information referred to under Article 2.

*Article 4.*

When a Polish subject suffering from mental disease is repatriated, the medical record of the patient, which is kept in the lunatic asylum, shall be communicated to the competent authorities of his or her country.

In drawing attention to the foregoing, I have the honour to beg Your Excellency to inform me whether the Government of the Polish Republic would agree to conclude with Sweden the arrangement in question.

I am authorised to add that my Government will consider this proposal as binding as soon as the Government of the Polish Republic has consented to its reciprocal enforcement, which, in the opinion of my Government, would be secured if Your Excellency would be so good as to include in your reply the provisions quoted above, together with the necessary modifications.

As Your Excellency will observe, the proposed Agreement would, in Article 2, paragraph 11, embody the essential features of the desiderata laid down in the Note of the Ministry for Foreign Affairs referred to above.

I have, etc.,

(Signed) C. ANCKARSVÄRD.

To His Excellency  
The Minister for Foreign Affairs  
of the Polish Republic,  
etc., etc., etc.

POLISH REPUBLIC.  
MINISTRY  
FOR  
FOREIGN AFFAIRS.

WARSAW, *November 26, 1921.*

SIR,

I have the honour to inform Your Excellency that the Polish Government is quite ready to conclude with Sweden the agreement proposed in Your Excellency's letter of May 30, 1921, with regard to the exchange of notifications concerning nationals of the two countries afflicted with mental disease. Accordingly, the Polish Government undertakes to put into force, as from January 1, 1922, and on condition of reciprocity, the following provisions :

*Article 1.*

Should any Swedish subject be attacked in Poland with mental disease, his confinement in a lunatic asylum or his release from such an institution or his death, as the case may be, shall be notified to the Swedish Legation at Warsaw.

*Article 2.*

In the notifications provided for under Article 1, mention shall be made of the name of the lunatic asylum where the patient is confined, and they shall, if possible, contain the following information regarding the patient :

- (1) Name and surname ;
- (2) Date and place of birth ;
- (3) Trade or profession ;
- (4) Place of residence at the time when the confinement in the lunatic asylum took place ;
- (5) The patient's last place of residence in his native country ;
- (6) Name and surname, etc., of the father and mother, or if these are dead, the names and surnames of the nearest relatives with information as to their domicile ;
- (7) If the patient is married, name and surname of the husband or wife, and the indication of his or her domicile ;
- (8) The date at which the patient was confined in the institution, or on which he left it, or on which he died ;
- (9) The name of the person at whose request the patient was confined in the institution ;
- (10) If the patient was admitted on a medical report, the date of this report and the name and residence of the doctor ;
- (11) The condition of the patient and whether his state allows of his repatriation, and also an indication of the number of attendants required in order to take care of the patient during the journey.

*Article 3.*

In all cases where the Polish Government demands the repatriation of a Swedish subject suffering from mental disease, the request shall be accompanied by a notification containing the information referred to under Article 2.

*Article 4.*

When a Swedish subject suffering from mental disease is repatriated, the medical record of the patient, which is kept in the lunatic asylum, shall be communicated to the competent Swedish authorities.

In informing Your Excellency of the foregoing, I take this opportunity to add that the Polish Government considers that it would be highly desirable to settle by a similar arrangement not merely the question of the repatriation of persons of unsound mind, but also of all persons who, on account either of their age or the state of their health, are dependent upon public or private charity, including abandoned children and disabled and aged persons.

I venture, therefore, to request Your Excellency to inform me whether the Swedish Government would consent, on condition of reciprocity, to come to an agreement with Poland on this matter, an agreement which would be similar to those existing between Sweden and other countries.

Further, I am authorised to state that the Polish Government would be glad to conclude any other Convention of the same kind on the basis of the principles recommended by the International Congress at Copenhagen in 1910 with regard to assistance to foreigners, and would, if desired, submit to the Swedish Government a scheme for dealing with this question.

I have the honour, etc.

(Signed) SKIRMUNT.

To His Excellency  
M. C. d'ANCKARSVÄRD,  
Envoy Extraordinary and Minister Plenipotentiary  
of the Royal Swedish Government  
at Warsaw.

SWEDISH LEGATION.

WARSAW, *December 27, 1921.*

SIR,

With reference to the Note which Your Excellency forwarded to me on November 26 last, I have the honour, in conformity with instructions received, to inform you that my Government has accepted the Polish Government's proposal with regard to putting into force, as from January 1, 1922, the arrangement relating to the mutual exchange of notifications concerning nationals of the two countries afflicted with mental disease.

I have the honour, etc.

(Signed) C. ANCKARSVÄRD.

His Excellency M. SKIRMUNT,  
Minister for Foreign Affairs, etc.