

N° 2177.

FRANCE ET POLOGNE

Convention relative à la protection
et à l'assistance judiciaire. Signée
à Paris, le 30 décembre 1925.

FRANCE AND POLOGNE

Convention regarding Protection and
Legal Assistance. Signed at Paris,
December 30, 1925.

¹ TRADUCTION. — TRANSLATION.No. 2177. — CONVENTION² BETWEEN FRANCE AND POLAND REGARDING PROTECTION AND LEGAL ASSISTANCE. SIGNED AT PARIS, DECEMBER 30, 1925.

French official text communicated by the Polish Delegate accredited to the League of Nations. The registration of this Convention took place October 22, 1929.

THE GOVERNMENT OF THE POLISH REPUBLIC and THE GOVERNMENT OF THE FRENCH REPUBLIC, having resolved to afford each other judicial cooperation and having agreed to conclude a Convention on Protection and Legal Aid, the undersigned, being duly empowered to that effect, have agreed as follow :

Article 1.

French nationals in Poland and Polish nationals in France shall have free and unhindered access to the courts of justice, so long as they comply with the legislation in force in the country, whether as plaintiffs or as defendants, before all courts of every instance. They shall be entitled in all courts to employ the counsel and agents of all kinds authorised by the laws of the country, and shall in every respect be entitled to the same rights and privileges as are or may in future be granted to its nationals.

Article 2.

Nationals of either High Contracting Party who, whether as plaintiffs or interveners, are parties to a case before the courts of the other Contracting Party, shall not be liable for any fee, surety or deposit for which the nationals of the country in question would not under its legislation, be liable under similar circumstances.

Article 3.

The nationals of each of the High Contracting Parties shall be entitled to the advantages of legal aid in the same manner as the nationals of the other country, so long as they comply with the laws in force in the country in which aid is applied for.

Article 4.

The certificate of indigence shall be issued by the authorities of the habitual place of residence of an alien, or, failing them, by the authorities of his actual place of residence. Should the latter

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, July 27, 1929.

authorities not belong to a Contracting State and not issue certificates of this nature, a certificate issued by a diplomatic or consular agent of the country to which the alien belongs shall be sufficient.

If the applicant does not reside in the country in which the application is made, the certificate shall be legalised free of charge by a diplomatic or consular agent of the country in which the document has to be produced.

Article 5.

The authority competent to issue a certificate of indigence shall be entitled to enquire of the authorities of the applicant's country as to his financial position.

The authority responsible for the decision as to the request for legal aid shall, within the limits of its powers, retain the right to verify certificates and information furnished.

Article 6.

When legal aid is granted by one of the High Contracting Parties, either to one of its own nationals or to a national of the other Party, the service of judicial documents in the other State in connection with the same proceedings shall not render the applicant State liable for any repayment of charges to the State applied to, except in respect of the costs of a special form of procedure not provided for by the laws of the State applied to.

In such cases, the execution of " Commissions rogatoires " shall involve no charges other than the repayment, by the applicant State to the State applied to, of experts' fees and of the costs of a special form of procedure.

Article 7.

The present Convention shall be ratified.

It shall enter into force one month after the date of the exchange of ratifications.

It shall cease to have effect six months after the notification of its denunciation by either Contracting Party.

In faith whereof, the undersigned, being duly empowered to that effect, have signed the present Convention and have thereto affixed their seals.

Done in Paris in duplicate on the thirtieth day of December, one thousand nine hundred and twenty-five.

(L. S.) (Signed) Alfred CHŁAPOWSKI.

(L. S.) (Signed) A. BRIAND.

(L. S.) (Signed) Léon BABIŃSKI.
