

N° 2188.

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## POLOGNE ET ROUMANIE

Convention relative à l'échange des actes et documents des ci-devant autorités militaires austro-hongroises. Signée à Varsovie, le 29 novembre 1928.

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## POLAND AND ROUMANIA

Convention regarding the Exchange of Acts and Documents of the former Austro-Hungarian Military Authorities. Signed at Warsaw, November 29, 1928.

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

No. 2188. — CONVENTION<sup>2</sup> BETWEEN THE POLISH REPUBLIC AND THE KINGDOM OF ROUMANIA REGARDING THE EXCHANGE OF ACTS AND DOCUMENTS OF THE FORMER AUSTRO-HUNGARIAN MILITARY AUTHORITIES. SIGNED AT WARSAW, NOVEMBER 29, 1928.

*French official text communicated by the Polish Delegate accredited to the League of Nations. The registration of this Convention took place November 8, 1929.*

In accordance with the terms of Article 6 of the Convention concluded at Rome on April 6, 1922, between the Polish Republic, Austria, Hungary, Italy, Roumania, the Kingdom of the Serbs, Croats and Slovenes, and the Czechoslovak Republic, the Plenipotentiaries of the Governments of the Polish Republic and the Kingdom of Roumania have agreed on the following provisions :

*Article I.*

The Contracting Parties undertake to hand over to each other the following categories of acts and documents relating either to the nationals or to the territories of the two Contracting States and originally belonging to the former Austro-Hungarian military departments and authorities which had their seat in that part of the territory of the former Austro-Hungarian Monarchy now belonging to the Polish Republic or to the Kingdom of Roumania, together with those categories of acts which were transferred during the war to the territory of one of the Contracting Parties :

## I. PERSONAL DOCUMENTS.

- (a) General and departmental index-cards for officers and men ;
- (b) Documents giving particulars as to qualifications ;
- (c) Hospital registers ;
- (d) Medical reports and medical certificates ;
- (e) Documents relating to the medical examination of recruits ;
- (f) Death certificates ;
- (g) Records of the wives and orphans of officers and men ;
- (h) Disabled men's booklets.
- (i) Records of garrison courts and field courts-martial ;
- (k) Index-cards containing information of any kind ;
- (l) Records of voluntary engagements ;
- (m) Records concerning discharge, with annexes thereto ;
- (n) Extracts from records relating to disciplinary punishment ;
- (o) Records of non-mobile units and of formations transferred from their recruitment dépôt.

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

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

<sup>2</sup> The exchange of ratifications took place at Warsaw, July 26, 1929.

II. DOCUMENTS CONCERNING PROPERTY, PLANS AND DRAWINGS OF BARRACKS AND MILITARY BUILDINGS, TOGETHER WITH DEEDS RELATING TO CONTRACTS OF PURCHASE AND LEASE.

*Article 2.*

All annexes to the acts and documents mentioned in Article 1, such as birth certificates, school certificates, certificates of national origin, etc., shall also be restored.

Documents which are of importance to both Contracting Parties shall be kept by the State in whose possession they are, the other Party being furnished with a copy.

The State receiving a copy of such a document may, within a period of eight weeks, apply for the copy to be compared with the original.

*Article 3.*

Only such acts of the former Austro-Hungarian military authorities mentioned in Article 1 of this Convention as refer to the period between January 1, 1900 and October 30, 1918, shall be reciprocally restored.

*Article 4.*

Recognition of nationality shall be based on the principle of the right of citizenship (*pertinenza*) laid down in the Treaty of Peace signed at St. Germain-en-Laye on September 10, 1919.

*Article 5.*

Both Contracting Parties undertake to furnish one another with lists of the acts and documents intended to be exchanged within the six months following on the entry into force of the present Convention.

All expenditure incurred in this connection shall be borne by the Party in whose territory these documents are.

*Article 6.*

Both Contracting Parties reciprocally undertake, within three months after exchanging lists of the acts and documents, to collect the documents therein mentioned and make arrangements for their restitution.

The Contracting Party for which these documents are intended agrees to take delivery of them during the three months following.

Should the other Party not take delivery of the material thus collected, it shall be reincorporated in the archives of the department in question, and the expenditure incurred in consequence of any new selection shall be borne by the Party for which the documents are intended.

*Article 7.*

The date for final completion of the exchange of documents not included in the list sent, but found or claimed subsequently, etc., shall expire on January 1, 1940. No matter arising out of the present Convention may be dealt with after this date. Prior to January 1, 1940, no category of the said acts and documents may be removed, included in an inventory or destroyed without the knowledge or consent of the other Party.

*Article 8.*

The cost of transporting acts and documents for exchange shall be borne by the Party taking delivery of them. Transport of such acts and documents is exempt from Customs duty.

*Article 9.*

The Contracting Parties agree to furnish one another with lists of soldiers who were killed or who died as a result of military operations and of prisoners of war who died in captivity and were buried in the respective territories of the Contracting Parties, as well as with all the information regarding graves provided for in Article 172, paragraphs 1 and 2, of the Treaty of Peace signed at St. Germain-en-Laye. These lists shall be reciprocally communicated within two years from the date of the entry into force of the present Convention.

*Article 10.*

With a view to executing the present Convention, the higher military authorities of both Contracting Parties shall be entitled to communicate with one another direct.

*Article 11.*

The present Convention shall be ratified and shall come into force on being approved by the respective Governments, which shall be duly certified by an exchange of notes.

In faith whereof the undersigned Plenipotentiaries have signed the present Convention and have thereto affixed their seals.

Done at Warsaw in two copies on November 29, 1928.

*(Signed)* Tadeusz JACKOWSKI.

*(Signed)* DAVILA.