

N° 3254.

LETTONIE ET POLOGNE

Echange de notes ayant pour objet d'introduire, à titre d'addition à la Convention de La Haye du 17 juillet 1905, relative à la procédure civile, de nouvelles simplifications dans l'assistance judiciaire réciproque. Riga, les 28 avril, 20 mai, 13 et 18 août 1932.

LATVIA AND POLAND

Exchange of Notes with the Object of introducing Further Simplifications, as an Addition to the Civil Procedure Convention concluded at The Hague, July 17, 1905, in Reciprocal Judicial Assistance. Riga, April 28, May 20, August 13 and 18, 1932.

¹ TRADUCTION. — TRANSLATION.

No. 3254. — EXCHANGE OF NOTES BETWEEN THE LATVIAN AND POLISH GOVERNMENTS WITH THE OBJECT OF INTRODUCING FURTHER SIMPLIFICATIONS, AS AN ADDITION TO THE CIVIL PROCEDURE CONVENTION CONCLUDED AT THE HAGUE, JULY 17, 1905, IN RECIPROCAL JUDICIAL ASSISTANCE. RIGA, APRIL 28, MAY 20, AUGUST 13 AND 18, 1932.

French official text communicated by the Polish Delegate accredited to the League of Nations. The registration of this Exchange of Notes took place August 31, 1933.

I.

LATVIJAS
ARLIETU MINISTRIJA.

LATVIAN
MINISTRY OF FOREIGN AFFAIRS.
No. J.3/M.3/8851.

NOTE VERBALE.

With reference to the Note Verbale No. 1942 of February 9, 1932, the Ministry of Foreign Affairs has the honour to inform the Polish Legation that the competent Latvian authorities, although they cannot altogether agree with the views of the Polish Ministry of Justice, have consented, for the purpose of expediting service of documents, and subject to reciprocity, to forward to the addressees judicial documents drawn up solely in the language of the applicant State. They reserve the right to require, if necessary, a translation into the language of the State applied to or in French in accordance with Article 3 of the Hague Convention².

RIGA, *April* 28, 1932.

To the Legation of the Polish Republic
at Riga.

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 *British and Foreign State Papers*, Vol. 99, page 990.

II.

LATVIJAS
ARLIETU MINISTRIJA.

LATVIAN
MINISTRY OF FOREIGN AFFAIRS.

No. J.3./M.3/10466.

NOTE VERBALE.

With reference to previous correspondence concerning the method in which the Convention on Civil Procedure signed at The Hague, July 17, 1905, should be applied in the relations of Latvia with Poland, the Ministry of Foreign Affairs has the honour to inform the Polish Legation as follows :

The Latvian Government accepts all the proposals put forward by the Polish Government in its Note Verbale No. 350/28 of December 1928, save one, namely, that which refers to the application of Article 1, paragraph 1, of the Convention. Applications for service of documents on persons in Latvia should be made to the Latvian Ministry of Justice as in the case of letters of request (Article 9, paragraph 1), the competent Latvian authorities being of opinion that it is not desirable, in the case of applications for service of documents (Article 1), to use a method of forwarding different from that adopted in the case of letters of request (Article 9). This was what the Ministry of Foreign Affairs intended to convey in paragraph 2 of its Note Verbale No. A.L.244/21881 of November 3, 1930. Paragraph 1 of this Note Verbale, which refers to the provisions of Article 18 of the Hague Convention, has no connection with paragraph 2 of the same Note, since the latter only refers to Articles 1 and 9 of the Convention.

In view of the above, the way in which the Hague Convention will be applied by Latvia in her relations with Poland will be as follows :

Ad Article 1, Paragraph 1.

Applications for service of judicial documents on persons in Latvia should be made by the Polish Consuls to the Latvian Ministry of Justice.

Ad Article 9, Paragraph 1.

Letters of request for execution in Latvia should be forwarded by the Polish Consuls to the Latvian Ministry of Justice.

Ad Article 6.

Subject to reciprocity, the Latvian Government agrees that service of judicial documents should be made in the manner laid down in paragraphs 1 and 3 of Article 6, Section 1. On the other hand, it cannot allow such service to be made in the manner laid down in paragraph 2 of the same Section.

Ad Article 18, Paragraph 3.

The Latvian Government agrees that on Latvian territory the requests for enforcement dealt with in this Article may be addressed by the interested parties direct to the competent authorities.

So far as concerns the language in which the translations accompanying documents, letters of request and texts of judgments concerning costs and expenses, in accordance with Articles 3 and 10 and paragraph 3 of Section 2 of Article 19 of the said Convention, the Latvian Government would prefer that the language used should be French, save in the cases provided for in the Note Verbale of the Ministry of Foreign Affairs dated April 28, 1932, No. J.3./M.3/8851, of which a copy is annexed hereto.

The Ministry requests the Legation to communicate to it the reply to the Polish Government on this matter and moreover to inform it what method should be applied in the relations of Latvia with the Free City of Danzig.

RIGA, *May 20, 1932.*

To the Polish Legation,
Riga.

III.

LEGATION
OF THE POLISH REPUBLIC
AT RIGA.

No. 2020.

NOTE VERBALE.

When acknowledging receipt of the Note Verbale of the Ministry of Foreign Affairs No. I.3./M.3/10466, of May 20, 1932, accompanied by a copy of the Note Verbale from that Ministry No. I.3./M.3./8851 of April 28, 1932, the Polish Legation, acting on the instructions of its Government, has the honour to inform the Ministry of Foreign Affairs that the Polish Government takes note without any reservation of the tenor of the above-mentioned Notes and therefore regards the question of the execution of the Hague Convention of 1905 on civil procedure in the relations between the Polish Republic and Latvia as agreed and settled.

So far as concerns the method of forwarding the applications for service of judicial documents and letters of request in the relations between the Free City of Danzig and Latvia, the Polish Government is of opinion that the method which has hitherto been followed for that purpose might be continued in future.

RIGA, *August 13, 1932.*

M. P.

To the Ministry for Foreign Affairs
at Riga.

IV.

LATVIJAS
ARLIETU MINISTRIJA.

MINISTRY
OF FOREIGN AFFAIRS
OF LATVIA.

No. J.3/M.3/16779.

NOTE VERBALE.

The Ministry of Foreign Affairs has the honour to acknowledge receipt of Note Verbale No. 2020 from the Legation of the Polish Republic, dated August 13, 1932, concerning the way in which the Convention on Civil Procedure signed at The Hague on July 17, 1905, should be applied in the relations of Latvia and the Free City of Danzig and to inform the said Legation that the Ministry has informed the competent Latvian authorities of the contents of this Note Verbale.

RIGA, *August* 18, 1932.

To the Legation of the Polish Republic,
Riga.