

No. 189

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**POLAND**  
and  
**FRANCE**

**Convention concerning the payment of death and disability pensions to the victims of the 1939-1945 war (with Protocol). Signed at Paris, on 11 February 1947**

*French official text communicated by the Representative of Poland to the United Nations. The registration took place on 16 February 1948.*

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**POLOGNE**  
et  
**FRANCE**

**Convention concernant le paiement de pensions de décès et d'invalidité aux victimes de la guerre 1939-1945 (avec Protocole). Signée à Paris, le 11 février 1947**

*Texte officiel français communiqué par le représentant de la Pologne auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 16 février 1948.*

## TRANSLATION — TRADUCTION

No. 189. CONVENTION<sup>1</sup> BETWEEN FRANCE AND POLAND CONCERNING PAYMENT OF DEATH AND DISABILITY PENSIONS TO VICTIMS OF THE 1939-1945 WAR. SIGNED AT PARIS, ON 11 FEBRUARY 1947

The Government of the Polish Republic and the Government of the French Republic being resolved not to discriminate between the nationals of the two countries who fought or suffered, on their respective territories, for the cause of liberty, the undersigned, duly authorized for this purpose, agree on the following provisions:

*Article 1*

All the rights and benefits derived from military death and disability pensions granted by French legislation to French ex-servicemen or former members of the French resistance forces and their legal successors, shall be granted, in conformity with the French laws and regulations which govern them respectively, to Polish nationals who:

- (1) served in the French army as foreigners;
- (2) were members of the French Forces of the Interior under the conditions laid down in the Decree of 20 September 1944 respecting the status of the French Forces of the Interior;
- (3) were members of the French Resistance or of the Polish Resistance in France under the conditions laid down in Order No. 45 322 of 3 March 1945.

The benefits of the above-mentioned shall be granted also to their legal successors.

*Article 2*

All the rights and benefits derived from military death and disability pensions granted by French legislation to French ex-servicemen and their legal successors shall be granted to Polish nationals who served in the Polish National Army placed under the orders of the French Commander-in-Chief during the war of 1939-1945, as well as to their legal successors, provided that the persons concerned reside in France.

<sup>1</sup> Came into force, on 1 October 1947, in accordance with article 9, the instruments of ratification having been exchanged at Paris on 30 September 1947.

*Article 3*

A person entitled to benefit under the provisions of the preceding articles shall not in any case claim a pension from the French Government for disabilities contracted before being embodied either in one of the French forces above mentioned or in the reconstituted Polish National Army in France.

Nevertheless, this provision shall in no way prejudice compensation for aggravations as provided in French legislation respecting pensions.

*Article 4*

The benefits granted by French legislation to civilian victims and the advantages thereto attached shall be granted also to civilian victims of Polish nationality as a result of an act of war on French territory, as well as to their legal successors, an act of war being defined in conformity with the terms of the legislation in force.

*Article 5*

Polish Consuls in France shall be allowed to represent and assist their compatriots before the French administrative authorities.

The same right shall be allowed to associations of Polish ex-servicemen regularly constituted and approved by the Polish Consul-General in Paris.

*Article 6*

If a Polish national appears before a disability board he may be assisted by a Polish medical practitioner accredited to the competent Polish Consul; the latter shall be advised of the summoning of his national. The observations of the said Polish medical practitioner, together with his reasons therefor, shall be placed in the file of the person concerned and if not accepted by the board, shall be submitted for decision to the Minister for ex-Servicemen and War Victims.

*Article 7*

French nationals who served in the Polish army or who were members of the Polish Resistance during the war of 1939-1945, and their legal successors, shall be entitled, under the conditions laid down in articles 3, 5, 6 and 8 to all the rights and benefits granted to Polish ex-servicemen or members of the Polish Resistance Movement and their legal successors by Polish legislation respecting death and disability pensions.

The benefits granted by Polish legislation to civilian war victims shall be granted also to civilian war victims of French nationality in Poland who were resident there before the act of war giving right to a pension.

*Article 8*

The time-limits contemplated by the legislation in force shall begin to run with respect to beneficiaries under articles 2, 4 and the second sub-paragraph of article 7, from the date in which the present Agreement comes into force.

*Article 9*

The present Agreement shall come into force on the first day of the month following the exchange of ratifications which shall take place in Paris so soon as possible. It shall remain in force until the two Contracting Parties terminate it by common agreement; nevertheless, it may be denounced at any time at the desire of either Party by giving one year's notice to the other Party.

IN FAITH WHEREOF, the respective Plenipotentiaries have signed the present Agreement and have thereto affixed their seals.

DONE, in duplicate, in Paris, 11 February 1947.

For the Government of the Polish Republic:  
(Signed) ST. SKRZESZEWSKI

For the Government of the French Republic:  
(Signed) BIDAULT

## ADDITIONAL PROTOCOL

The High Contracting Parties agree that if, due to circumstances beyond their control, the procedure of ratification of the Convention which they have signed should exceed the time-limit of two months from the date of signature, the rights of beneficiaries under articles 2, 4 and 7 shall be effective on the expiry of the two months' period, the provisions of article 9 notwithstanding.

IN FAITH WHEREOF, the respective Plenipotentiaries have signed the present Protocol.

DONE, in duplicate, in Paris, 11 February 1947.

For the Government of the Polish Republic:  
(Signed) ST. SKRZESZEWSKI

For the Government of the French Republic:  
(Signed) BIDAULT