

N° 264.

AUTRICHE ET SUÈDE

Echange de notes comportant un arrangement relatif à l'échange de notifications concernant les aliénés. Vienne, les 26 mai 1921 et 10 avril 1922.

AUSTRIA AND SWEDEN

Exchange of Notes constituting an Agreement concerning the exchange of notifications with regard to persons of unsound mind. Vienna, May 26, 1921 and April 10, 1922.

¹ TRADUCTION. — TRANSLATION.

No. 264. — EXCHANGE OF NOTES BETWEEN THE AUSTRIAN AND SWEDISH GOVERNMENTS CONSTITUTING AN AGREEMENT CONCERNING THE EXCHANGE OF NOTIFICATIONS WITH REGARD TO PERSONS OF UNSOUND MIND. VIENNA, MAY 26, 1921, AND APRIL 10, 1922.

French official text communicated by the Swedish Ministry for Foreign Affairs. The registration of this Exchange of Notes took place on May 24, 1922.

VIENNA, May 26, 1921.

MONSIEUR LE CHANCELIER FÉDÉRAL,

In accordance with the stipulations concluded under condition of reciprocity between Sweden and several other countries, the admission of lunatics who are nationals of these countries into Swedish lunatic asylums, their release from these institutions, and their death have been for some time regularly communicated to their respective Governments through their diplomatic representatives accredited to His Majesty the King.

These communications are made in order that the relatives of the patient may be informed and to make it possible to safeguard their interests as well as those of the patient. Moreover, they enable the authorities of the patient's country to take the necessary measures in order to provide for the care of his person and of his fortune.

My Government considers that it would be very desirable that similar notification should be made with regard to any Swedish nationals who are attacked abroad by mental diseases, and has instructed me to propose to you the adoption of the following articles under conditions of reciprocity.

Article 1.

Should any Austrian 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 Austrian diplomatic or Consular representative at Stockholm.

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 ;

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

- (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 an Austrian subject suffering from mental disease, the request shall be accompanied by a notification containing the information referred to under Article 2.

Article 4.

When an Austrian 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 Austrian authorities.

In communicating the above to you, I have the honour to request you to be so good as to inform me whether the Government of Austria is prepared to conclude the Agreement in question with Sweden.

I am authorised to state that this proposal will be considered binding by my Government whenever the Austrian Government undertakes to grant reciprocal treatment. This treatment would, in the opinion of my Government, be secured if you would embody in your reply the above provisions, with any modifications which may be considered necessary.

I have the honour to be, etc.

(Signed) O. EWERLÖF.

Monsieur le Docteur M. MAYR,
Federal Chancellor and
Director of the Federal
Ministry for Foreign Affairs
of the Austrian Republic,
Vienna.

FEDERAL MINISTRY OF FOREIGN AFFAIRS
OF THE AUSTRIAN REPUBLIC.

No. 19147/2 C.

VIENNA, *April 10, 1922.*

YOUR EXCELLENCY,

With reference to Your Excellency's Note dated May 26 last, I have the honour to inform you that the Federal Government willingly adopts the arrangement proposed on condition of reciprocity on the part of the Royal Swedish Government with regard to the respective nationals of either Party who may be of unsound mind. The Austrian Federal Government therefore undertakes to apply to Swedish nationals the following provisions :

The stipulations provided for above are the same as those mentioned on page 319 with the following modifications :

In Article 1, first line, the word "Austrian" should be replaced by "Swedish" and "Sweden" by "Austria;" third line read: "Swedish Diplomatic or Consular Representative in Austria" instead of: "Austrian Diplomatic or Consular Representative at Stockholm."

In Article 3, first line, "Swedish Government" should be read as "Austrian Government" and "Austrian subject" as "Swedish subject."

In Article 4, first line, "Austrian subject" should be read as: "Swedish subject"; second line "competent Austrian authorities" should be read as: "competent Swedish authorities."]

In requesting Your Excellency to be so good as to bring the foregoing to the notice of the Royal Swedish Government, I would add that, in accordance with the proposal contained in Your Excellency's Note previously referred to, the Federal Government of the Austrian Republic considers the agreement in question as definitely concluded by this reply and as being in force from today's date.

I have the honour, etc.

(Signed) HENNET.

Director of the Federal Ministry for Foreign Affairs.