

N° 426.

HONGRIE ET SUÈDE

Echange de notes comportant un arrangement relatif à l'échange de notifications concernant les aliénés. Vienne, les 26 mai 1921, Budapest le 26 février 1923.

HUNGARY AND SWEDEN

Exchange of Notes constituting an Agreement concerning the exchange of notifications with regard to persons of unsound mind. Vienna, May 26, 1921, Budapest, February 26, 1923.

¹ TRADUCTION. — TRANSLATION.

No. 426. — EXCHANGE OF NOTES BETWEEN THE HUNGARIAN AND SWEDISH GOVERNMENTS CONSTITUTING AN AGREEMENT CONCERNING THE EXCHANGE OF NOTIFICATIONS WITH REGARD TO PERSONS OF UNSOUND MIND. VIENNA. MAY 26, 1921, BUDAPEST, FEBRUARY 26, 1923.

French official text communicated by the Swedish Minister for Foreign Affairs. The registration of this Exchange of Notes took place on May 26, 1923.

SWEDISH LEGATION.

VIENNA, May 26, 1921.

MONSIEUR LE COMTE,

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 disease, and has instructed me to propose to you the adoption of the following articles under conditions of reciprocity.

Article 1.

Should any Hungarian 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 Hungarian Legation 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 a Hungarian subject suffering from mental disease, the request shall be accompanied by a notification containing the information referred to under Article 2.

Article 4.

When a Hungarian 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 authorities of Hungary.

In communicating the above to you, I have the honour to request you to be so good as to inform me whether the Royal Government of Hungary 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 Royal Government of Hungary undertakes to grant reciprocal treatment. This treatment would, in the opinion of my Government, be secured if your Excellency would embody in the reply the above provisions with any modifications which may be considered necessary.

I have the honour to be, etc.

(Signed) O. EWERLÖF.

His Excellency
the Count BANFFY,
Minister for Foreign Affairs
of Hungary, etc , etc , etc.

117979/5
1922

BUDAPEST, February 26, 1923.

YOUR EXCELLENCY,

With reference to the note which your predecessor was good enough to address to mine on May 26, 1921, regarding the proposed conclusion of an agreement between Hungary and Sweden with respect to the exchange of notifications relating to the admission of persons of unsound mind into lunatic asylums, etc., I have the honour to inform you that the Royal Hungarian Government, desirous of concluding such an agreement, accepts the following articles, under conditions of reciprocity :

Article 1.

Should any Swedish subject be attacked in Hungary 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 Consulate-General of Sweden at Budapest.

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 ;
- (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 Royal Hungarian Government demands the repatriation of a Swedish subject suffering from mental disease, the request shall be accompanied by a notification containing the information referred to under Article 2.

Article 4.

When a Swedish 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 authorities of Sweden.

If both Governments thus undertake to grant reciprocal treatment in the matter of the communication of information regarding the admission of persons of unsound mind into lunatic asylums, etc., the Royal Hungarian Government considers the agreement in question to have been concluded as between Hungary and Sweden.

In bringing the foregoing to your notice, I have the honour to request that you will be good enough to communicate this note without delay to your Government.

I have the honour, etc.

(Signed) KÁNYA,
*Envoy Extraordinary and Minister
Plenipotentiary.*

His Excellency
Monsieur Ivan DANIELSSON,
Envoy Extraordinary and
Minister Plenipotentiary,
Swedish Legation at Vienna.
