

¹ TRADUCTION. — TRANSLATION.No. 3010. — CONVENTION ² BETWEEN THE REPUBLIC OF FINLAND AND THE REPUBLIC OF POLAND, REGARDING PUBLIC RELIEF. SIGNED AT HELSINKI, DECEMBER 19, 1931.

French official text communicated by the Chargé d'Affaires a. i. of the Polish Delegation accredited to the League of Nations. The registration of this Convention took place August 2, 1932.

THE PRESIDENT OF THE REPUBLIC OF POLAND and THE PRESIDENT OF THE REPUBLIC OF FINLAND, being equally desirous of assuring effective and sufficient relief, on the basis of the treatment enjoyed by their respective nationals, to nationals of either State resident in the other, have decided to conclude a convention for this purpose and have appointed as their Plenipotentiaries :

THE PRESIDENT OF THE REPUBLIC OF POLAND :

M. François CHARWAT, Envoy Extraordinary and Minister Plenipotentiary of Poland at Helsinki, and

THE PRESIDENT OF THE REPUBLIC OF FINLAND :

Baron A. S. YRJÖ-KOSKINEN, Minister for Foreign Affairs,

Who, having exchanged their full powers, found in good and due form, have agreed upon the following provisions :

Article 1.

Each of the two Contracting States undertakes to assist the nationals of the other State residing in its territory who require assistance, medical attendance, or other public relief of any kind, including costs of burial in case of decease.

Such relief shall be given in the same manner and in accordance with the same regulations as that enjoyed by their own nationals under the laws in force in the State of residence.

Article 2.

Should the competent authority of the State of residence find that the need which gave rise to the relief provided for in Article 1, is likely to continue approximately not less than one year, the said State may, in accordance with the stipulations of the present Convention, and subject to the exceptions mentioned therein, demand the repatriation of the person in receipt of relief.

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 The exchange of ratifications took place at Warsaw, June 27, 1932.

Article 3.

If a national of one of the Contracting States, having been domiciled continuously for ten years in the other Contracting State, finds himself obliged to have recourse to relief without having relinquished such domicile, the State of residence cannot demand his repatriation by reason of any relief which may have been granted to him.

This stipulation shall not, however, be applicable if the person in receipt of relief emigrated to the State of residence before the age of fifty years.

Article 4.

Minors who have not reached the age of sixteen years shall, in regard to repatriation, accompany their parents or guardians ; if one of the latter is deceased, or if the marriage has been dissolved, the child shall accompany the survivor, or whichever of his parents or guardians exercises legal guardianship over the minor.

A natural child shall accompany its mother.

Article 3 shall not apply to minors who are orphans or foundlings prior to their reaching the age of sixteen years. In such cases the time they have spent in the other State before this period shall be counted in their favour.

Article 5.

In examining the question whether an indigent person shall be repatriated or not, account shall be taken not only of administrative interests but also of humanitarian considerations, especially in cases where repatriation would involve the separation of near relatives or where the assisted person in receipt of relief has reached an advanced age.

Repatriation shall, however, be postponed until it can be effected without danger to the health of the person in receipt of relief or of other persons.

Persons suffering from occupational diseases, a list of which shall be drawn up later following mutual agreement between the two Contracting Parties, shall not be subjected to repatriation.

Article 6.

In the case of repatriation, the State of residence shall take charge of the transport of the person in receipt of relief to any point on the frontier indicated by the authority of his State of origin, such point to be selected on the frontier of the State of origin in such a way as to obviate unnecessary expenditure for the State of residence.

The State of residence shall bear the costs of transport and subsistence up to the point on the frontier mentioned in the preceding paragraph, as also the cost of burial in case of disease on the journey.

Article 7.

Reimbursement of the costs of assistance, medical attendance or any other relief whatsoever resulting from the application of the present Convention, as also of the costs of transport and, if necessary, of burial, cannot be claimed either from the funds of the State, provinces or communes, or from any other public funds of the State of origin of the person in receipt of relief.

Article 8.

Where the laws of the State of residence of the person in receipt of relief provide for the reimbursement of certain costs, enumerated in the preceding Article, by the person in question or

by other persons legally liable therefor in his stead, and if such persons are in a position to defray the said costs, the reimbursement of the latter may be claimed, even when the said persons have left the country of residence and returned to their country of origin.

To this end, each of the Contracting States shall afford the other State the assistance of its administrative authorities in so far as is provided for by the laws of the country, in order that these costs, which shall be calculated according to the charges applicable in respect of nationals, may be refunded to the lawful claimant. The request for assistance mentioned in the preceding paragraph must be presented within one year from the date on which the granting of relief terminated and must be based on documentary evidence or an official declaration stating that the said costs cannot be collected in the State of residence in the absence of any natural or legal persons legally liable for such costs in virtue either of any special legal provisions or of any general rules of law in force in the State of residence.

In no case, however, may reimbursement of the costs of repatriation be claimed if repatriation was effected on the proposal of the State of residence.

Article 9.

Correspondence entailed by the application of Articles 2-8 regarding either repatriation or the reimbursement of the costs of relief shall only proceed through the diplomatic channel in default of a special agreement permitting direct correspondence between the authorities designated for that purpose by the two States concerned.

Article 10.

The present Convention shall be ratified and the instruments of ratification shall be exchanged in Warsaw as soon as possible. The Convention shall come into force on the thirtieth day following the exchange of the instruments of ratification and shall be renewed by tacit agreement from year to year, always provided that it may be denounced with one year's notice by either of the Contracting Parties.

In faith whereof the respective Plenipotentiaries have signed the present Convention which is drawn up in French and have thereto affixed their seals.

Done in duplicate at Helsinki, December 19, 1931.

F. CHARWAT.

A. S. YRJÖ-KOSKINEN.