No. 14458

MULTILATERAL

Convention on the reduction of statelessness (with Final Act of the United Nations Conference on the Elimination or Reduction of Future Statelessness held at Geneva from 24 March to 18 April 1959, and Resolutions I, II, III and IV of the Conference). Concluded at New York on 30 August 1961

Authentic texts: English, French, Chinese, Russian and Spanish. Registered ex officio on 13 December 1975.

MULTILATÉRAL

Convention sur la réduction des cas d'apatridie (avec Acte final de la Conférence des Nations Unies pour l'élimination ou la réduction des cas d'apatridie dans l'avenir réunie à Genève du 24 mars au 18 avril 1959, et résolutions n^{os} I, II, III et IV de la Conférence). Conclue à New York le 30 août 1961

Textes authentiques : anglais, français, chinois, russe et espagnol. Enregistrée d'office le 13 décembre 1975.

CONVENTION' ON THE REDUCTION OF STATELESSNESS

The Contracting States,

Acting in pursuance of resolution 896 (IX),² adopted by the General Assembly of the United Nations on 4 December 1954.

Considering it desirable to reduce statelessness by international agreement, Have agreed as follows:

Article 1. 1. A Contracting State shall grant its nationality to a person born in its territory who would otherwise be stateless. Such nationality shall be granted: (a) at birth, by operation of law, or

- (b) upon an application being lodged with the appropriate authority, by or on behalf of the person concerned, in the manner prescribed by the national law. Subject to the provisions of paragraph 2 of this article, no such application may be rejected.

A Contracting State which provides for the grant of its nationality in accordance with sub-paragraph (b) of this paragraph may also provide for the grant of its nationality by operation of law at such age and subject to such conditions as may be prescribed by the national law.

A Contracting State may make the grant of its nationality in accordance 2. with sub-paragraph (b) of paragraph 1 of this article subject to one or more of the following conditions:

(a) that the application is lodged during a period, fixed by the Contracting State, beginning not later than at the age of eighteen years and ending not earlier than

¹ Came into force on 13 December 1975 in respect of the following States, i.e., two years after the datc of the deposit of the sixth instrument of ratification or accession with the Secretary-General of the United Nations, in accordance with article 18 (1):

State		Date of deposit of the instrument of ratification or accession (a)		
United Kingdom of Great Britain and Northern Ireland*	2	9 March	1966	
(a) The Convention shall apply to the following non-metropolitan territories the international relations of which the United Kingdom is responsible: Antig Bahamas, Barbados, Basutoland, Bechuanaland, Bermuda, British Guiana, Brit Honduras, British Solomon Islands Protectorate, Cayman Islands, Channel Islan Dominica, Falkland Islands, Fiji, Gibraltar, Gilbert and Ellice Islands, Grena Hong Kong, Isle of Man, Mauritius, Montserrat, St. Helena, St. Kitts, St. Lucia, Vincent, Seychelles, Swaziland, Turks and Caicos Islands, Virgin Islands.	ua, ish ds, da,			
(b) The Convention shall not apply to Aden and the Protectorate of So Arabia; Brunei; Southern Rhodesia; and Tonga, whose consent to the application the Convention has been withheld.)				
Sweden Norway Austria* Ireland* Australia	 	19 February 11 August 22 September 18 January 13 December	1973 a	

* See p. 248 of this volume for the text of the dcclarations made upon ratification or accession. ² United Nations, Official Records of the General Assembly, Ninth Session, Supplement No. 21 (A/2890), p. 49. at the age of twenty-one years, so, however, that the person concerned shall be allowed at least one year during which he may himself make the application without having to obtain legal authorization to do so;

- (b) that the person concerned has habitually resided in the territory of the Contracting State for such period as may be fixed by that State, not exceeding five years immediately preceding the lodging of the application nor ten years in all;
- (c) that the person concerned has neither been convicted of an offence against national security nor has been sentenced to imprisonment for a term of five years or more on a criminal charge;
- (d) that the person concerned has always been stateless.

3. Notwithstanding the provisions of paragraphs 1 (b) and 2 of this article, a child born in wedlock in the territory of a Contracting State, whose mother has the nationality of that State, shall acquire at birth that nationality if it otherwise would be stateless.

4. A Contracting State shall grant its nationality to a person who would otherwise be stateless and who is unable to acquire the nationality of the Contracting State in whose territory he was born because he has passed the age for lodging his application or has not fulfilled the required residence conditions, if the nationality of one of his parents at the time of the person's birth was that of the Contracting State first above mentioned. If his parents did not possess the same nationality at the time of his birth, the question whether the nationality of the person concerned should follow that of the father or that of the mother shall be determined by the national law of such Contracting State. If application for such nationality is required, the application shall be made to the appropriate authority by or on behalf of the applicant in the manner prescribed by the national law. Subject to the provisions of paragraph 5 of this article, such application shall not be refused.

5. The Contracting State may make the grant of its nationality in accordance with the provisions of paragraph 4 of this article subject to one or more of the following conditions:

- (a) that the application is lodged before the applicant reaches an age, being not less than twenty-three years, fixed by the Contracting State;
- (b) that the person concerned has habitually resided in the territory of the Contracting State for such period immediately preceding the lodging of the application, not exceeding three years, as may be fixed by that State;
- (c) that the person concerned has always been stateless.

Article 2. A foundling found in the territory of a Contracting State shall, in the absence of proof to the contrary, be considered to have been born within that territory of parents possessing the nationality of that State.

Article 3. For the purpose of determining the obligations of Contracting States under this Convention, birth on a ship or in an aircraft shall be deemed to have taken place in the territory of the State whose flag the ship flies or in the territory of the State in which the aircraft is registered, as the case may be.

Article 4. 1. A Contracting State shall grant its nationality to a person, not born in the territory of a Contracting State, who would otherwise be stateless, if the nationality of one of his parents at the time of the person's birth was that of that State. If his parents did not possess the same nationality at the time of his birth, the question whether the nationality of the person concerned should follow that of the father or that of the mother shall be determined by the national law of such Contracting State. Nationality granted in accordance with the provisions of this paragraph shall be granted:

- (a) at birth, by operation of law, or
- (b) upon an application being lodged with the appropriate authority, by or on behalf of the person concerned, in the manner prescribed by the national law. Subject to the provisions of paragraph 2 of this article, no such application may be rejected.

2. A Contracting State may make the grant of its nationality in accordance with the provisions of paragraph 1 of this article subject to one or more of the following conditions:

- (a) that the application is lodged before the applicant reaches an age, being not less than twenty-three years, fixed by the Contracting State;
- (b) that the person concerned has habitually resided in the territory of the Contracting State for such period immediately preceding the lodging of the application, not exceeding three years, as may be fixed by that State;
- (c) that the person concerned has not been convicted of an offence against national security;
- (d) that the person concerned has always been stateless.

Article 5. 1. If the law of a Contracting State entails loss of nationality as a consequence of any change in the personal status of a person such as marriage, termination of marriage, legitimation, recognition or adoption, such loss shall be conditional upon possession or acquisition of another nationality.

2. If, under the law of a Contracting State, a child born out of wedlock loses the nationality of that State in consequence of a recognition of affiliation, he shall be given an opportunity to recover that nationality by written application to the appropriate authority, and the conditions governing such application shall not be more rigorous than those laid down in paragraph 2 of article 1 of this Convention.

Article 6. If the law of a Contracting State provides for loss of its nationality by a person's spouse or children as a consequence of that person losing or being deprived of that nationality, such loss shall be conditional upon their possession or acquisition of another nationality.

Article 7. 1. (a) If the law of a Contracting State permits renunciation of nationality, such renunciation shall not result in loss of nationality unless the person concerned possesses or acquires another nationality.

(b) The provisions of sub-paragraph (a) of this paragraph shall not apply where their application would be inconsistent with the principles stated in articles 13 and 14 of the Universal Declaration of Human Rights approved on 10 December 1948' by the General Assembly of the United Nations.

2. A national of a Contracting State who seeks naturalization in a foreign country shall not lose his nationality unless he acquires or has been accorded assurance of acquiring the nationality of that foreign country.

3. Subject to the provisions of paragraphs 4 and 5 of this article, a national of a Contracting State shall not lose his nationality, so as to become stateless, on the ground of departure, residence abroad, failure to register or on any similar ground.

¹ United Nations, Official Records of the General Assembly, Third Session, part 1, p. 71.

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4. A naturalized person may lose his nationality on account of residence abroad for a period, not less than seven consecutive years, specified by the law of the Contracting State concerned if he fails to declare to the appropriate authority his intention to retain his nationality.

5. In the case of a national of a Contracting State, born outside its territory, the law of that State may make the retention of its nationality after the expiry of one year from his attaining his majority conditional upon residence at that time in the territory of the State or registration with the appropriate authority.

6. Except in the circumstances mentioned in this article, a person shall not lose the nationality of a Contracting State, if such loss would render him stateless, notwithstanding that such loss is not expressly prohibited by any other provision of this Convention.

Article 8. 1. A Contracting State shall not deprive a person of its nationality if such deprivation would render him stateless.

2. Notwithstanding the provisions of paragraph 1 of this article, a person may be deprived of the nationality of a Contracting State:

- (a) in the circumstances in which, under paragraphs 4 and 5 of article 7, it is permissible that a person should lose his nationality;
- (b) where the nationality has been obtained by misrepresentation or fraud.

3. Notwithstanding the provisions of paragraph 1 of this article, a Contracting State may retain the right to deprive a person of his nationality, if at the time of signature, ratification or accession it specifies its retention of such right on one or more of the following grounds, being grounds existing in its national law at that time:

- (a) that, inconsistently with his duty of loyalty to the Contracting State, the person
 - (i) has, in disregard of an express prohibition by the Contracting State rendered or continued to render services to, or received or continued to receive emoluments from, another State, or
 - (ii) has conducted himself in a manner seriously prejudicial to the vital interests of the State;
- (b) that the person has taken an oath, or made a formal declaration, of allegiance to another State, or given definite evidence of his determination to repudiate his allegiance to the Contracting State.

4. A Contracting State shall not exercise a power of deprivation permitted by paragraphs 2 or 3 of this article except in accordance with law, which shall provide for the person concerned the right to a fair hearing by a court or other independent body.

Article 9. A Contracting State may not deprive any person or group of persons of their nationality on racial, ethnic, religious or political grounds.

Article 10. 1. Every treaty between Contracting States providing for the transfer of territory shall include provisions designed to secure that no person shall become stateless as a result of the transfer. A Contracting State shall use its best endeavours to secure that any such treaty made by it with a State which is not a party to this Convention includes such provisions.

2. In the absence of such provisions a Contracting State to which territory is transferred or which otherwise acquires territory shall confer its nationality on such persons as would otherwise become stateless as a result of the transfer or acquisition.

Article 11. The Contracting States shall promote the establishment within the framework of the United Nations, as soon as may be after the deposit of the sixth instrument of ratification or accession, of a body to which a person claiming the benefit of this Convention may apply for the examination of his claim and for assistance in presenting it to the appropriate authority.

Article 12. 1. In relation to a Contracting State which does not, in accordance with the provisions of paragraph 1 of article 1 or of article 4 of this Convention, grant its nationality at birth by operation of law, the provisions of paragraph 1 of article 1 or of article 4, as the case may be, shall apply to persons born before as well as to persons born after the entry into force of this Convention.

2. The provisions of paragraph 4 of article 1 of this Convention shall apply to persons born before as well as to persons born after its entry into force.

3. The provisions of article 2 of this Convention shall apply only to foundlings found in the territory of a Contracting State after the entry into force of the Convention for that State.

Article 13. This Convention shall not be construed as affecting any provisions more conducive to the reduction of statelessness which may be contained in the law of any Contracting State now or hereafter in force, or may be contained in any other convention, treaty or agreement now or hereafter in force between two or more Contracting States.

Article 14. Any dispute between Contracting States concerning the interpretation or application of this Convention which cannot be settled by other means shall be submitted to the International Court of Justice at the request of any one of the parties to the dispute.

Article 15. 1. This Convention shall apply to all non-self-governing, trust, colonial and other non-metropolitan territories for the international relations of which any Contracting State is responsible; the Contracting State concerned shall, subject to the provisions of paragraph 2 of this article, at the time of signature, ratification or accession, declare the non-metropolitan territory or territories to which the Convention shall apply *ipso facto* as a result of such signature, ratification or accession.

2. In any case in which, for the purpose of nationality, a non-metropolitan territory is not treated as one with the metropolitan territory, or in any case in which the previous consent of a non-metropolitan territory is required by the constitutional laws or practices of the Contracting State or of the non-metropolitan territory for the application of the Convention to that territory, that Contracting State shall endeavour to secure the needed consent of the non-metropolitan territory within the period of twelve months from the date of signature of the Convention by that Contracting State, and when such consent has been obtained the Contracting State shall notify the Secretary-General of the United Nations. This Convention shall apply to the territory or territories named in such notification from the date of its receipt by the Secretary-General.

3. After the expiry of the twelve-month period mentioned in paragraph 2 of this article, the Contracting States concerned shall inform the Secretary-General of the results of the consultations with those non-metropolitan territories for whose international relations they are responsible and whose consent to the application of this Convention may have been withheld.

Article 16. 1. This Convention shall be open for signature at the Headquarters of the United Nations from 30 August 1961 to 31 May 1962.

2. This Convention shall be open for signature on behalf of:

(a) any State Member of the United Nations;

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- (b) any other State invited to attend the United Nations Conference on the Elimination or Reduction of Future Statelessness;
- (c) any State to which an invitation to sign or to accede may be addressed by the General Assembly of the United Nations.

3. This Convention shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

4. This Convention shall be open for accession by the States referred to in paragraph 2 of this article. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 17. 1. At the time of signature, ratification or accession any State may make a reservation in respect of articles 11, 14 or 15.

2. No other reservations to this Convention shall be admissible.

Article 18. 1. This Convention shall enter into force two years after the date of the deposit of the sixth instrument of ratification or accession.

2. For each State ratifying or acceding to this Convention after the deposit of the sixth instrument of ratification or accession, it shall enter into force on the ninetieth day after the deposit by such State of its instrument of ratification or accession or on the date on which this Convention enters into force in accordance with the provisions of paragraph 1 of this article, whichever is the later.

Article 19. 1. Any Contracting State may denounce this Convention at any time by a written notification addressed to the Secretary-General of the United Nations. Such denunciation shall take effect for the Contracting State concerned one year after the date of its receipt by the Secretary-General.

2. In cases where, in accordance with the provisions of article 15, this Convention has become applicable to a non-metropolitan territory of a Contracting State, that State may at any time thereafter, with the consent of the territory concerned, give notice to the Secretary-General of the United Nations denouncing this Convention separately in respect of that territory. The denunciation shall take effect one year after the date of the receipt of such notice by the Secretary-General, who shall notify all other Contracting States of such notice and the date or receipt thereof.

Article 20. 1. The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States referred to in article 16 of the following particulars:

- (a) signatures, ratifications and accessions under article 16;
- (b) reservations under article 17;
- (c) the date upon which this Convention enters into force in pursuance of article 18;
- (d) denunciations under article 19.

2. The Secretary-General of the United Nations shall, after the deposit of the sixth instrument of ratification or accession at the latest, bring to the attention of the General Assembly the question of the establishment, in accordance with article 11, of such a body as therein mentioned.

Article 21. This Convention shall be registered by the Secretary-General of the United Nations on the date of its entry into force.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Convention.

DONE at New York, this thirtieth day of August, one thousand nine hundred and sixty-one, in a single copy, of which the Chinese, English, French, Russian and Spanish texts are equally authentic and which shall be deposited in the archives of the United Nations, and certified copies of which shall be delivered by the Secretary-General of the United Nations to all Members of the United Nations and to the nonmember States referred to in article 16 of this Convention. For Afghanistan: Pour l'Afghanistan: 阿富汗: 3a Aфrahbetah: Por el Afganistán:

FOR ALBANIA: POUR L'ALBANIE: 阿爾巴尼亞: 3a Албанию: POR ALBANIA:

For Argentina: Pour l'Argentine: 阿根廷: 3a Aprefitzhy: Por la Argentina:

For Australia: Pour l'Australie: 澳大利亞: За Австралию: Por Australia:

For Austria: Pour l'Autriche: 奥地利: За Австрию: Por Austria: For Belgium: Pour la Belgique: 比利時: За Бельгию: Por Bélgica:

For Bolivia: Pour la Bolivie; 波利維亞: 3a Боливию: Por Bolivia:

For Brazil: Pour le Brésil: 巴西: 3a Бразилню: Por el Brasil:

For Bulgaria: Pour la Bulgarie: 保加利亞: Sa Bostaphio: Por Bulgaria:

For Burma: Pour la Birmanie: 編句: 3a Бирму: Por Birmania: For the Byelorussian Soviet Socialist Republic: Pour la République socialiste soviétique de Biélorussie: 白俄羅斯蘇維埃社會主義共和國: Ba Белорусскую Советскую Социалистическую Республику: Por la República Socialista Soviética de Bielorrusia;

For Cambodia: Pour le Cambodge: 東埔寨: За Кажбоджу: Por Camboya:

For the Cameroun: Pour le Cameroun: 喀麥隆: Ba Kamepyh: Por el Camerún:

FOR CANADA: Pour le Canada: 加拿大: Ba Kahagy: Por el Canadá:

For the Central African Republic: Pour la République centrafricaine: 中非共和國: За Центральноафриканскую Республику: Por la República Centroafricana: For Ceylon: Pour Ceylan: 錫蘭: За Цейлон: Por Ceilán:

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For Chad: Pour le Tchad: 查德: 3a Jag: Por el Chad:

For Chile: Pour le Chili: 智利: За Чели: Por Chile:

For China: Pour la Chine: 中國: 3a Ketaž: Por la China:

For Colombia: Pour la Colombie: 哥倫比亞: За Колумбию: Por Colombia: FOR THE CONGO (BRAZZAVILLE): POUR LE CONGO (BRAZZAVILLE): 剛果(伯拉沙維爾): Ba Kohro (Браззавнль): POR EL CONGO (BRAZZAVILLE):

For the Congo (Léopoldville): Pour le Congo (Léopoldville): 剛果 (利奥波德維爾): 3a Kohro (Леопольдвиль): Por el Congo (Leopoldville):

For Costa Rica: Pour le Costa Rica: 哥斯大黎加: За Коста-Рику: Por Costa Rica:

For Cuba: Pour Cuba: 古巴: За Кубу: Por Cuba:

For Cyprus: Pour Chypre: 賽普勒斯: За Квпр: Por Chipre:

FOR CZECHOSLOVAKIA: POUR LA TCHÉCOSLOVAQUIE: 捷克斯拉夫: За Чехословакию: POR CHECOESLOVAQUIA: For Dahomey: Pour le Dahomey: 達荷美: За Дагомею: Por el Dahomey:

1975

For Denmark: Pour le Danemark: 丹麥: 3a Данию: Por Dinamarca:

For the Dominican Republic: Pour la République Dominicaine: 多明尼加共和國: За Доминиканскую Республику: Por la República Dominicana:

CARLOS SÁNCHEZ Y SÁNCHEZ MINERVA BERNARDINO CAPPA 5 December 1961

For Ecuador: Pour l'Equateur: 厄瓜多: За Эквадор: Por el Ecuador:

For El Salvador: Pour le Salvador: 薩爾瓦多: Ba Caльвадор: Por El Salvador:

For Етнюріа: Роця ц'Етнюріє: 衣索比亞: За Эфпопию: Рок Етюріа: For the Federal Republic of Germany: Pour la République fédérale d'Allemagne: 德意志聯邦共和國 За Федеративную Республику Германии Por la República Federal Alemana:

For the Federation of Malaya: Pour la Fédération de Malaisie: 馬來亞聯邦: За Малайскую Федерацию: Por la Federación Malaya;

For Finland: Pour la Finlande: 芬蘭: За Финляндаю: Por Finlandia;

For France: Pour la France: 法蘭西: За Францию: Por Francia:

31 mai 1962

Armand Bérard¹

Cette signature est accompagnée des déclarations qui ont fait l'objet de ma lettre nº 220/NU du 31 mai 1962 au Secrétaire général des Nations Unies².

¹ Voir p. 247 du présent volume pour le texte des déclarations faites lors de la signature – See p. 247 of this volume for the text of the declarations made upon signature.

² This signature is accompanied by the declarations referred to in my letter No. 220/NU of 31 May 1962 addressed to the Secretary-General of the United Nations.

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For Gabon: Pour le Gabon: 加彭: 3a Fadoh: Por el Gabón:

1975

For Ghana: Pour le Ghana: 迦納: Ba Fahy: Por Ghana:

For Greece: Pour la Grèce: 希臘: Ba Грецию: Por Grecia:

For Guatemala: Pour le Guatemala: 瓜地馬拉: За Гватемалу: Por Guatemala:

For Guinea: Pour la Guinée: 幾內亞: За Гвинею: Por Guinea:

For Haiti: Pour Haiti: 海地: За Гаяти: Por Haití: For the Holy See: Pour le Saint-Siège: 教廷 За Святейший Престол Por la Santa Sede;

For Honduras: Pour le Honduras: 宏都拉斯: Ba Гондурас: Por Honduras:

For Hungary: Pour la Hongrie: 匈牙利: 3a Bentpuio: Por Hungría:

FOR ICELAND: Pour l'Islande: 冰島: За Исландию: Por Islandia:

For India: Pour l'Inde: 印度: За Индию: Por la India:

For Indonesia: Pour l'Indonésie: 印度尼西亞: 3a Индонезию: Por Indonesia: FOR TRAN: POUR L'IRAN: 伊朗: За Иран: POR IRÁN: FOR IRAQ: POUR L'IRAK: 伊拉克: За Ирак: POR IRAK: FOR IRELAND: POUR L'IRLANDE: 愛爾蘭: За Прландию: POR IRLANDA: FOR ISRAEL: **POUR ISRAËL:** 以色列: За Израиль: POR ISRAEL: MEIR S. SIVAN FOR ITALT: POUR L'ITALIE: 姜大利: За Италию: POR ITALIA: FOR THE IVORY COAST: POUR LA CÔTE-D'IVOIRE: 象牙海岸:

За Берег Слоновой Кости: Ров La Costa de Marfil: 237

,

For Japan: Pour le Japon: 日本: 3a Японию: Por el Japón:

FOR JORDAN: POUR LA JORDANIE: 約旦: Ba Иорданию: POR JORDANIA:

For Laos: Pour le Laos: 穿國: Ba Jaoc: Por Laos:

For Lebanon: Pour le Liban. 黎巴敏: Ba Ливан: Por el Líbano;

For Liberia: Pour le Libéria: 赖比瑞亞: 38 Либерию: Por Liberia:

For Libya: Pour la Libye: 利比亞: За Ливию: Por Libia: For Liechtenstein: Pour le Liechtenstein: 列支敦斯登: 3a Лихтенштейн: Por Liechtenstein:

For Luxembourg: Pour le Luxembourg: 盧森堡: За Люксембург: Por Luxemburgo:

For Madagascar: Pour Madagascar: 馬達加斯加: Ba Magaracrap: Por Madagascar:

For Mali: Pour le Mali: 馬利: Ba Manu: Por Malí:

For Mexico: Pour le Mexique: 墨西哥: 3a Mercury: Por México:

For Monaco: Pour Monaco: 摩納哥: За Монако: Por Мónaco: For Morocco: Pour le Maroc: 摩洛哥: За Марокко: Por Marruecos:

For Nepal: Pour le Népal: 尼泊爾: За Непал: Por Nepal:

For the Netherlands: Pour les Pays-Bas: 荷閒: За Нидерланды: Por los Países Bajos:

W. RIPHAGEN

For New Zealand: Pour la Nouvelle-Zélande: 紐西蘭: За Новую Зеландию: Por Nueva Zelandia:

For Nicaragua: Pour le Nicaragua: 尼加拉瓜: 3a Heraparya: Por Nicaragua:

For the Nicer: Pour le Nicer: 奈及爾: 3a Harep: Por el Nícer: For Nigeria: Pour la Nigéria: 奈及利亞: За Натераю: Por Nigeria:

1975

For Norway: Pour la Norvèce: 挑威: Sa Hopbertho: Por Norueca:

For Pakistan: Pour le Pakistan: 巴基斯坦: 3a Пакистан: Por el Pakistán:

For Panama: Pour le Panama: 巴拿馬: 3a Панаму: Por Panamá:

For Paraguay: Pour le Paraguay: 巴拉圭: Ba Naparbaž: Por el Paraguay:

FOR PERU: Pour le Pérou: 祕魯: 3a Перу: Por el Perú: For the Philippines: Pour les Philippines: 葬律賓: 3a Фелиппины: Por Filipinas:

For Poland: Pour la Pologne: 波蘭: За Пољшу: Por Polonia:

For Portugal: Pour le Portugal: 葡萄牙: За Португалию: Por Portugal:

For the Republic of Korea: Pour la République de Corée: 大韓民國: За Корейскую Республику: Por la República de Corea:

For the Republic of Viet-Nam: Pour la République du Viet-Nam: 越南共和國: За Республику Вьетнам: Por la República de Viet-Nam:

For Romania: Pour la Roumanie: 羅馬尼亞: За Румынию: Por Rumania: For San Marino: Pour Saint-Marin: 望馬利諾: Ba Cah-Mapuho: Por San Marino:

For Saudi Arabia: Pour l'Arabie Saoudite: 沙烏地阿拉伯: За Саудовскую Аравию: Por Arabia Saudita:

For Senegal: Pour le Sénégal: 塞內加爾: Ba Ceheraл: Por el Senegal:

FOR SOMALIA: POUR LA SOMALIE: 索馬利亞: Ba Comalu: Por Somalia:

For South Africa: Pour l'Afrique du Sud: 南非: За Южную Африку: Por Sudáfrica:

For Spain: Pour l'Espagne: 西班牙: 3a Испанию: Por España: For the Sudan: Pour le Soudan: 蘇丹: Ba Cyabh: Por el Sudán:

For Sweden: Pour la Suède: 瑞典: 3a Швецию: Por Suecia:

For Switzerland: Pour la Suisse: 瑞士: 3a Швейцарию: Por Suiza:

For Thailand: Pour la Thaïlande: 泰國: За Тавланд: Por Tailandia:

For Toco: Pour le Toco: 多哥: Ba Toro: Por el Toco:

For Tunisia: Pour la Tunisie: 突尼西亞: 3a Tyhic: Por Túnez: For Turkey: Pour la Turquie: 土耳其: 3a Typhano: Por Turquía:

For the Ukrainian Soviet Socialist Republic: Pour la République socialiste soviétique d'Ukraine: 烏克蘭蘇維埃社會主義共和國: За Украинскую Советскую Социалистическую Республику: Por la República Socialista Soviética de Ucrania:

For the Union of Soviet Socialist Republics: Pour l'Union des Républiques socialistes soviétiques: 蘇維埃社會主義共和國聯邦: За Союз Советских Социалистических Республик: Por la Unión de Repúblicas Socialistas Soviéticas:

For the United Arab Republic: Pour la République arabe unie: 阿拉伯聯合共和國: За Объединенную Арабскую Республику: Por la República Arabe Unida:

For the United Kingdom of Great Britain and Northern Ireland: Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord: 大不列頗及北愛爾蘭聯合王國:

За Соединенное Королевство Великобритании и Северной Ирландии: Por el Reino Unido de Gran Bretaña e Irlanda del Norte:

> J. M. Ross Peter Harvey

For the United States of America: Pour les Etats-Unis d'Amérique: 美利堅合衆國: 3a Coegaheeheme Штаты Амереке: Por los Estados Unidos de América:

For the Upper Volta: Pour la Haute-Volta: 上伏爾他: За Верхнюю Вольту: Por el Alto Volta;

FOR URUGUAY: POUR L'URUGUAY: 烏拉圭: Ba 又ругвай: POR EL URUGUAY:

For Venezuela: Pour le Venezuela: 委內瑞拉: 3s Behecyə*x*y: Por Venezuela:

For Yemen: Pour le Yémen: 也門: За Йемен: Por el Yemen:

For Yugoslavia: Pour la Yougoslavie: 南斯拉夫: 3a Югославию: Por Yugoeslavia: DECLARATION MADE UPON SIGNATURE

FRANCE

[TRANSLATION — TRADUCTION]

At the time of signature of this Convention, the Government of the French Republic declares that it reserves the right to exercise the power available to it under article 8 (3) on the terms laid down in that paragraph, when it deposits the instrument of ratification of the Convention.

The Government of the French Republic also declares, in accordance with article 17 of the Convention, that it makes a reservation in respect of article 11, and that article 11 will not apply so far as the French Republic is concerned.

The Government of the French Republic further declares, with respect to article 14 of the Convention, that in accordance with article 17 it accepts the jurisdiction of the Court only in relation to States Parties to this Convention which shall also have accepted its jurisdiction subject to the same reservations; it also declares that article 14 will not apply when there exists between the French Republic and another party to this Convention an earlier treaty providing another method for the settlement of disputes between the two States.

The Government of the French Republic declares, lastly, with respect to article 15, that this Convention will apply to the Overseas Departments and the Overseas Territories of the French Republic.

DÉCLARATION FAITE LORS DE LA SIGNATURE

FRANCE

«Au moment de la signature de la présente Convention, le Gouvernement de la République française déclare qu'il se réserve d'user, lorsqu'il déposera l'instrument de ratification de celle-ci, de la faculté qui lui est ouverte par l'article 8, paragraphe 3, dans les conditions prévues par cette disposition.

«Le Gouvernement de la République française déclare également, en conformité de l'article 17 de la Convention, qu'il fait une réserve à l'article 11, lequel ne s'appliquera pas en ce qui concerne la République française.

«Le Gouvernement de la République française déclare, en outre, en ce qui concerne l'article 14 de la Convention, qu'en conformité de l'article 17 il n'accepte la juridiction de la Cour que vis-àvis des Etats parties à la présente Convention qui l'auront également acceptée et sous les mêmes réserves; il déclare également que l'article 14 ne s'applique pas lorsqu'il existe entre la République française et une autre partie à la présente Convention un traité antérieur prévoyant pour le règlement des différends entre les deux Etats un autre mode de solution de ces différends.

«Le Gouvernement de la République française déclare enfin, en ce qui concerne l'article 15, que la présente Convention s'appliquera aux départements d'Outre-Mer et territoires d'Outre-Mer de la République française.»

DECLARATIONS MADE UPON RA-TIFICATION OR ACCESSION

AUSTRIA

Declarations concerning article 8, paragraph 3 (a), (i) and (ii):

"Austria declares to retain the right to deprive a person of his nationality, if such person enters, on his own free will, the military service of a foreign State.

"Austria declares to retain the right to deprive a person of his nationality, if such person being in the service of a foreign State, conducts himself in a manner seriously prejudicial to the interests or to the prestige of the Republic of Austria."

IRELAND

"In accordance with paragraph 3 of article 8 of the Convention Ireland retains the right to deprive a naturalised Irish citizen of his citizenship pursuant to section 19 (1) (b) of the Irish Nationality and Citizenship Act, 1956, on grounds specified in the aforesaid paragraph."

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

"On depositing this instrument I have the honour, on instructions from Her Majesty's Principal Secretary of State for Foreign Affairs, to declare on behalf of the United Kingdom and in accordance with paragraph 3 (a) of article 8 of the Convention that, notwithstanding the provisions of paragraph 1 of article 8, the DÉCLARATIONS FAITES LORS DE LA RATIFICATION OU DE L'AD-HÉSION

AUTRICHE

[TRADUCTION - TRANSLATION]

Déclarations concernant l'article 8, paragraphe 3, a, i et ii :

L'Autriche déclare conserver la faculté de priver un individu de sa nationalité lorsque cet individu entre librement au service militaire d'un Etat étranger.

L'Autriche déclare conserver la faculté de priver un individu de sa nationalité lorsque cet individu, étant au service d'un Etat étranger, a un comportement de nature à porter un préjudice grave aux intérêts ou au prestige de la République d'Autriche.

IRLANDE

[TRADUCTION — TRANSLATION]

Aux termes du paragraphe 3 de l'article 8 de la Convention, l'Irlande se réserve le droit de retirer à un citoyen irlandais naturalisé sa citoyenneté conformément à la section 19, *I*, *b*, du *Irish Nationality and Citizenship Act* (Loi de 1956 relative à la citoyenneté et à la nationalité irlandaises) pour les motifs visés au paragraphe susmentionné.

ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD

[TRADUCTION --- TRANSLATION]

En déposant le présent instrument, j'ai l'honneur, d'ordre du principal Secrétaire d'Etat de Sa Majesté aux affaires étrangères, de déclarer, au nom du Royaume-Uni et conformément au paragraphe 3, a, de l'article 8 de la Convention, que, nonobstant les dispositions du paragraphe 1 de l'article 8, le Royaume-Uni conserve la United Kingdom retains the right to deprive a naturalised person of his nationality on the following grounds, being grounds existing in United Kingdom law at the present time: that, inconsistently with his duty of loyalty to Her Britannic Majesty, the person

- " (i) has, in disregard of any express prohibition of Her Britannic Majesty, rendered or continued to render services to, or received or continued to receive emoluments from, another State, or
- "(ii) has conducted himself in a manner seriously prejudicial to the vital interests of Her Britannic Majesty."

faculté de priver un individu naturalisé de sa nationalité pour les motifs ci-après, prévus actuellement par la législation du Royaume-Uni : si un individu, dans des conditions impliquant de sa part un manque de loyalisme envers Sa Majesté britannique,

- A, au mépris d'une interdiction expresse de Sa Majesté britannique, apporté ou continué d'apporter son concours à un autre Etat, ou reçu ou continué de recevoir d'un autre Etat des émoluments,
- ii) Ou a eu un comportement de nature à porter un préjudice grave aux intérêts essentiels de Sa Majesté britannique.

FINAL ACT OF THE UNITED NATIONS CONFERENCE ON THE ELIMI-NATION OR REDUCTION OF FUTURE STATELESSNESS

1. The General Assembly of the United Nations, by resolution 896 $(IX)^1$ of 4 December 1954, expressed its desire that an international conference of plenipotentiaries be convened to conclude a convention for the reduction or elimination of future statelessness as soon as at least twenty States had communicated to the Secretary-General their willingness to co-operate in such a conference. The Secretary-General was requested to fix the exact time and place for the conference when that condition had been met. The General Assembly noted that the International Law Commission had submitted to it drafts of a Convention on the Elimination of Future Statelessness and a Convention on the Reduction of Future Statelessness in the Report of the International Law Commission covering its sixth session in 1954. The General Assembly requested the Governments of States invited to participate in the conference to give early consideration to the merits of a multilateral convention on the elimination or reduction of future statelessness.

2. Upon the fulfilment of the condition envisaged in the resolution of the General Assembly, the Secretary-General convened a United Nations Conference on the Elimination or Reduction of Future Statelessness at the European Office of the United Nations at Geneva on 24 March 1959. The Conference met at the European Office of the United Nations from 24 March to 18 April 1959.

3. At the time of its adjournment on 18 April 1959 the Conference adopted the following resolution:

"The Conference,

"Being unable to terminate the work entrusted to it within the time provided for its work,

"Proposes to the competent organ of the United Nations to reconvene the Conference at the earliest possible time in order to continue and complete its work."

4. In pursuance of this resolution, the Secretary-General of the United Nations, after ascertaining the views of the participating States, decided that the Conference should be reconvened at the United Nations Headquarters in New York on 15 August 1961. The Conference met at the United Nations Headquarters from 15 to 28 August 1961.

5. At the first part of the Conference the Governments of the following thirtyfive States were represented: Argentina, Austria, Belgium, Brazil, Canada, Ceylon, Chile, China, Denmark, Dominican Republic, Federal Republic of Germany, France, Holy See, India, Indonesia, Iraq, Israel, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Pakistan, Panama, Peru, Portugal, Spain, Sweden, Switzerland, Turkey, United Arab Republic, the United Kingdom of Great Britain and Northern Ireland, the United States, Yugoslavia.

6. The Governments of the following States were represented by observers: Finland, Greece.

7. At the second part of the Conference the Governments of the following thirty States were represented: Argentina, Austria, Belgium, Brazil, Canada, Ceylon, China, Denmark, Dominican Republic, Federal Republic of Germany, Finland, France, Holy See, Indonesia, Israel, Italy, Japan, Netherlands, Norway, Pa-

¹ See foot-note 2, p. 176 of this volume.

kistan, Panama, Peru, Spain, Sweden, Switzerland, Turkey, United Arab Republic, the United Kingdom of Great Britain and Northern Ireland, the United States, Yugoslavia.

8. The Governments of the following States were represented by observers: Greece, Iraq.

9. At the first part of the Conference the following inter-governmental organizations were represented by observers:

- Council of Europe

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- Intergovernmental Committee for European Migration
- International Institute for the Unification of Private Law
- League of Arab States

10. At the second part of the Conference the following inter-governmental organization was represented by an observer:

- League of Arab States

11. At both parts of the Conference the Office of the United Nations High Commissioner for Refugees was represented by an observer.

12. At the first part of the Conference Mr. Knud Larsen (Denmark) was elected as President and Mr. Ichiro Kawasaki (Japan) and Mr. Humberto Calamari (Panama) as Vice-Presidents.

13. At the second part of the Conference none of these Officers of the Conference was present. The Conference accordingly elected Mr. Willem Riphagen (Netherlands) as President and Mr. Gilberto Amado (Brazil) and Mr. G. P. Malalasekera (Ceylon) as Vice-Presidents.

14. At the first part of the Conference the following Committees were set up:

Committee of the Whole

Chairman: The President of the first part of the Conference

Vice-Chairmen: The Vice-Presidents of the first part of the Conference

Drafting Committee

Members: Representatives of the following States: Argentina, Belgium, France, Israel, Panama, the United Kingdom of Great Britain and Northern Ireland

Chairman (First part of the Conference): Mr. Humberto Calamari (Panama) (Second part of the Conference): Mr. Enrique Ros (Argentina)

15. At the second part of the Conference the Committee of the Whole did not meet.

16. At both parts of the Conference the President and Vice-Presidents, in accordance with rule 3 of the Rules of Procedure, examined the credentials of representatives and reported thereon to the Conference.

17. At the second part of the Conference a Working Group was set up, consisting of the President, who acted as Chairman, and representatives of Brazil, Canada, France, Israel, Norway, Switzerland, Turkey and the United Kingdom of Great Britain and Northern Ireland, and of representatives of other States who desired to participate. Mr. Peter Harvey (United Kingdom of Great Britain and Northern Ireland) acted as Rapporteur of the Working Group. 18. At the first part of the Conference the Secretary-General of the United Nations was represented by Mr. Yuen-li Liang, Director of the Codification Division of the Office of Legal Affairs of the United Nations, who was also appointed Executive Secretary.

19. At the second part of the Conference the Secretary-General of the United Nations was represented by Mr. C. A. Stavropoulos, the Legal Counsel. Mr. Yuen-li Liang acted as Executive Secretary.

20. At the first part of the Conference it was decided that the Conference would take as the basis for its work the draft Convention on the Reduction of Future Statelessness, prepared by the International Law Commission. The first part of the Conference also had before it observations submitted by Governments on that draft Convention, a Memorandum with a Draft Convention on the Reduction of Statelessness submitted by Denmark, and preparatory documentation prepared by the Secretariat of the United Nations.

21. The second part of the Conference had before it, in addition to the documentation referred to above, observations submitted by Governments on deprivation of nationality, observations submitted by the Office of the United Nations High Commissioner for Refugees, and further documentation prepared by the Secretariat of the United Nations.

22. On the basis of the deliberations, as recorded in the records of the Committee of the Whole and of the plenary meetings, the Conference prepared a Convention on the Reduction of Statelessness. The Convention, which is subject to ratification, was adopted by the Conference on 28 August 1961, and opened for signature from 30 August 1961 until 31 May 1962 at the United Nations Headquarters in New York. This Convention was also opened for accession and will be deposited in the archives of the United Nations.

23. In addition the Conference adopted the four resolutions which are annexed to this Final Act.

IN WITNESS WHEREOF the representatives have signed this Final Act.

DONE at New York this thirtieth day of August, one thousand nine hundred and sixty-one, in a single copy of which the Chinese, English, French, Russian and Spanish texts are equally authentic and which shall be deposited in the archives of the United Nations, and certified copies of which shall be delivered by the Secretary-General of the United Nations to all Members of the United Nations and all nonmember States invited to the Conference.

> [Signed – Signé]¹ President

[Signed – Signé]² Executive Secretary

¹ Signed by Willem Riphagen – Signé par Willem Riphagen.

² Signed by Yuen-li Liang — Signé par Yuen-li Liang.

FOR ARCENTINA: POUR L'ARGENTINE: 阿根廷: За Аргентину: POR LA ARGENTINA:

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M. AMADEO

FOR AUSTRIA: **POUR L'AUTRICHE:** 奥地利: За Австрию: POR AUSTRIA:

F. WEIDINGER

FOR BELGIUM: POUR LA BELCIQUE: 比利時: За Бельгию: POR BÉLCICA:

J. DARON

FOR BRAZIL: **POUR LE BRÉSIL:** 巴西: За Бразилию: POR EL BRASIL:

GILBERTO AMADO

FOR CANADA: POUR LE CANADA: 加拿大: За Канаду: POR EL CANADÁ:

R. HARRY JAY

For Ceylon: Pour Ceylan: 錫敵: За Цейлон: Por Ceilán:

G. MALALASEKERA

For China: Pour la Chine: 中國: Ba Kataž: Por la China:

ΡΑΟ-ΥΙ ΤSΑΟ

For Denmark: Pour le Danemark: 丹麥: 3a Данию: Por Dinamarca:

W. MCILQUHAM SCHMIDT

For the Dominican Republic: Pour la République Dominicaine: 多明尼加共和國: За Доминиканскую Республику: Por la República Dominicana: Minerva Bernardino Cappa Rafael Herrera Cabral

For the Federal Republic of Germany: Pour la République fédérale d'Allemagne: 德意志聯邦共和國: За Федеративную Республику Германии: Por la República Federal de Alemania: Heimsoeth

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For Finland: Pour la Finlande: 芬蘭: За Финляндию: Por Finlandia:

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KAARLO YRJÖ-KOSKINEN

For France: Pour la France: 法蘭西: Ba Францию: Por Francia:

LUCIEN HUBERT

For the Holy See: Pour le Saint-Siège: 教廷: За Святейший Престол: Por la Santa Sede:

J. HENRI DE RIEDMATTEN

For Indonesia: Pour l'Indonésie: 印度尼西亞: 3a Индонезию: Por Indonesia;

S. WIRJOPRANOTO

For Israel: Pour Israël: 以色列: За Изрављ: Por Israel:

MEIR S. SIVAN

For Italy: Pour l'Italie: 義大利: За Италию: Por Italia:

Ugo Caldarera

For Japan: Pour le Japon: 日本: За Японию: Por el Japón:

BUNSHICHI HOSHI

For the Netherlands: Pour les Pays-Bas: 荷蘭: За Надерланды: Por los Países Bajos:

W. RIPHAGEN

For Norway: Pour la Norvèce: 挪威: Ba Hopberzio: 、Por Noruega:

ANDREAS IRGENS

For Pakistan: Pour le Pakistan: 巴基斯坦: 3a Пакистан: Por el Pakistán:

ZAFRULLA KHAN

For Panama: Pour le Panama: 巴拿馬: 3a Панаму: Por Panamá:

César A. Quintero

For Peru: Pour le Pérou: 祕魯: 3a Перу: Por el Perú:

M. F. MAÚRTUA

For Spain: Pour l'Espagne: 西班牙: 3a Испанию: Por España:

JAIME DE PINIÉS

For Sweden: Pour la Suède: 瑞典: За Швецию: Por Suecia:

OLLE HELLBERG

For Switzerland: Pour la Suisse: 瑞士: 3a Швейцарию: Por Suiza:

ANTOINE FAVRE

For Turkey: Pour la Turquie: 土耳其: 3a Typhaio: Por Turquía:

Ilhan Lütem

For the United Arab Republic: Pour la République arabe unie: 阿拉伯聯合共和國: За Объединенную Арабскую Республику: Por la República Arabe Unida:

> Ibrahim Gad El Hak Aly Samir Safwat Abdel Hamid Khamis

For the United Kingdom of Great Britain and Northern Ireland: Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord: 大不列顛及北愛爾蘭聯合王國: За Соеданенное Королевство Великобритании и Северной Ирландии: Por el Reino Unido de Gran Bretaña e Irlanda del Norte:

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RAYMUND T. YINGLING

For Yugoslavia: Pour la Yougoslavie: 南斯拉夫: 3a Югославию: Por Yugoeslavia:

> S. Ilić Svetolik Jovanović

RESOLUTIONS I

The Conference

Recommends that persons who are stateless de facto should as far as possible be treated as stateless *de jure* to enable them to acquire an effective nationality.

П

The Conference

Resolves that for the purposes of paragraph 4 of article 7 of the Convention the term "naturalized person" shall be interpreted as referring only to a person who has acquired nationality upon an application which the Contracting State concerned may in its discretion refuse.

III

The Conference

Recommends Contracting States making the retention of nationality by their nationals abroad subject to a declaration or registration to take all possible steps to ensure that such persons are informed in time of the formalities and time-limits to be observed if they are to retain their nationality.

IV

The Conference

Resolves that for the purposes of the Convention the term "convicted" shall mean "convicted by a final judgement of a court of competent jurisdiction".