

No. 16546

MULTILATERAL

**Convention concerning the authentication of certain deaths.
Concluded at Athens on 14 September 1966**

Authentic text: French.

Registered by Switzerland, acting on behalf of the Parties, on 25 April 1978.

MULTILATÉRAL

**Convention relative à la constatation de certains décès.
Conclue à Athènes le 14 septembre 1966**

Texte authentique : français.

Enregistrée par la Suisse, agissant au nom des Parties, le 25 avril 1978.

[TRANSLATION — TRADUCTION]

CONVENTION¹ CONCERNING THE AUTHENTICATION OF CERTAIN DEATHS

The Federal Republic of Germany, the Republic of Austria, the Kingdom of Belgium, the French Republic, the Kingdom of Greece, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Swiss Confederation, the Republic of Turkey, Members of the International Commission on Civil Status,

Wishing to make it possible to authenticate certain deaths,
Have agreed as follows:

Article 1. Where the body of a missing person cannot be found but where, having regard to all the circumstances, the death may be regarded as certain, the judicial authority or the administrative authority so empowered shall be competent to issue a declaration of death:

- Either where the disappearance occurred in the territory of the State to which the authority belongs or in the course of a journey on a vessel or aircraft registered in that State,
- Or where the missing person was a national of that State or had his domicile or residence in the territory of that State.

Article 2. In the event of a certain death occurring outside the territory of the Contracting States, if no certificate has been drawn up or no certificate can be produced, the judicial authority or the administrative authority so empowered shall be competent to issue a declaration of death:

- Either where the death occurred in the course of a journey on a vessel or aircraft registered in the State to which such authority belongs;
- Or where the deceased was a national of that State or had his domicile or residence in the territory of that State.

Article 3. The decisions provided for in articles 1 and 2 shall be issued at the request of the competent authority or of any interested party. Where the exact date of death is not known, the date shall be established in the light of any evidence or indication regarding the circumstances or the period in which the death occurred.

Article 4. The operative terms of the decisions provided for in articles 1 and 2 shall be entered in the civil registers of the State in which such decisions are issued. This entry shall automatically have the validity of a death certificate in the Contracting States.

¹ Came into force on 31 July 1977 in respect of the following States, i.e., the thirtieth day after the date of deposit with the Government of Switzerland of the second instrument of ratification, in accordance with article 7:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Turkey	24 August 1972
Greece	1 July 1977

Article 5. The present Convention shall not prejudice the application of provisions enabling the death to be established by easier means.

Article 6. The Contracting States shall notify the Swiss Federal Council of the completion of the procedures required under their constitutions for the present Convention to take effect in their territory.

The Swiss Federal Council shall inform the Contracting States and the Secretary-General of the International Commission on Civil Status of any notification received under the foregoing paragraph.

Article 7. The present Convention shall enter into force on the thirtieth day following the date of deposit of the second notification and shall take effect immediately between the two States which have completed that formality.

In respect of each signatory State subsequently completing the formality provided for in the foregoing article, the present Convention shall take effect on the thirtieth day following the date of deposit of its notification.

Article 8. The present Convention shall automatically apply throughout the metropolitan territory of each Contracting State.

Any Contracting State may, at the time of signature of the notification provided for in article 6 or of accession or subsequently, declare, by notification addressed to the Swiss Federal Council, that the provisions of the present Convention will be applicable to one or more of its extra-metropolitan territories, or States or territories for which it assumes international responsibility.

The Swiss Federal Council shall inform each of the Contracting States and the Secretary-General of the International Commission on Civil Status of such notification. The provisions of the present Convention shall become applicable in the territory or territories mentioned in the notification on the sixtieth day following the date on which the Swiss Federal Council received the notification.

Any State which has made a declaration in accordance with the provisions of the second paragraph of this article may subsequently, at any time, declare by notification addressed to the Swiss Federal Council that the present Convention will cease to be applicable to one or more of the States or territories mentioned in the declaration.

The Swiss Federal Council shall inform each of the Contracting States and the Secretary-General of the International Commission on Civil Status of the new notification.

The Convention shall cease to be applicable to the territories concerned on the sixtieth day following the date on which the Swiss Federal Council received the notification.

Article 9. Any State member of the Council of Europe or of the International Commission on Civil Status may accede to the present Convention. The State wishing to do so shall indicate its intention in an instrument which shall be deposited with the Swiss Federal Council. The latter shall inform each of the Contracting States and the Secretary-General of the International Commission on Civil Status of the deposit of any instrument of accession. The Convention shall enter into force, for the acceding State, on the thirtieth day following the date of deposit of the instrument of accession.

Instruments of accession may not be deposited until the present Convention has entered into force.

Article 10. The present Convention shall remain in force for an indefinite period. Each of the Contracting States shall, however, be entitled to denounce it at any time by means of a written notification addressed to the Swiss Federal Council, which shall so inform the other Contracting States and the Secretary-General of the International Commission on Civil Status.

This right of denunciation may be exercised only after a period of five years has elapsed from the date of the notification provided for in article 6 or of the date of accession.

The denunciation shall take effect six months after the date on which the Swiss Federal Council received the notification provided for in the first paragraph of this article.

IN WITNESS WHEREOF the undersigned representatives, being duly authorized for the purpose, have signed the present Convention.

DONE at Athens on 14 September 1966 in a single copy to be deposited in the archives of the Swiss Federal Council, a certified copy of which shall be transmitted through the diplomatic channel to each of the Contracting States and to the Secretary-General of the International Commission on Civil Status.

For the Federal Republic of Germany:

For the Republic of Austria:

For the Kingdom of Belgium:

For the Government of the French Republic:

[GUY DELTEL]

For the Kingdom of Greece:

[JOANNIS TOUMBAS]

For the Italian Republic:

For the Grand Duchy of Luxembourg:

For the Kingdom of the Netherlands:

In so far as the Kingdom of the Netherlands is concerned, the terms “metropolitan territory” and “extra-metropolitan territories” used in the text of the Convention mean “European territory” and “non-European territories” in view of the equality which exists from the point of view of public law between the Netherlands, Surinam and the Netherlands Antilles.

[R. B. VAN LYNDEN]

For the Swiss Confederation:

[GÖTZ]

For the Republic of Turkey:

[T. TÜLÜMEN]
