

No. 26071

MULTILATERAL

Convention concerning the issuance of certificates in connection with the attribution of different family names (with annex). Signed at The Hague on 8 September 1982

Authentic text: French.

Registered by Switzerland on 12 July 1988.

MULTILATÉRAL

Convention relative à la délivrance d'un certificat de diversité de noms de famille (avec annexe). Signée à La Haye le 8 septembre 1982

Texte authentique : français.

Enregistrée par la Suisse le 12 juillet 1988.

[TRANSLATION — TRADUCTION]

CONVENTION¹ CONCERNING THE ISSUANCE OF CERTIFICATES
IN CONNECTION WITH THE ATTRIBUTION OF DIFFERENT
FAMILY NAMES

The States signatories to this Convention, members of the International Commission on Civil Status,

Wishing to alleviate the difficulties encountered by certain persons to whom one State attributes a family name different from that attributed to them in another State,

Have agreed as follows:

Article 1

1. The certificate of attribution of different family names established by this Convention is intended to facilitate proof of identity for persons who, owing to differences in the legislation of certain States, in particular with respect to marriage, filiation or adoption, are known by different family names.

2. The sole purpose of the said certificate is to certify that the various family names recorded therein under different bodies of legislation refer to one and the same person. It shall not have the effect of undermining legal provisions governing names.

Article 2

The certificate referred to in the preceding article shall be issued, upon presentation of supporting documents, to any person, either by the competent authorities of the contracting State of which he is a national or by the competent authorities of the contracting State under whose legislation he, although being a national of another State, has been attributed a family name other than that attributed under his national legislation.

Article 3

A certificate issued in accordance with this Convention shall be accepted in every contracting State as attesting, until proved otherwise, the accuracy of the entries it contains regarding the different family names of the person concerned.

Article 4

For purposes of the application of this Convention, refugees and stateless persons whose personal status is determined by the law of a contracting State shall be considered nationals of that State.

¹ Came into force on 1 July 1988, i.e., the first day of the third month following the deposit of the second instrument of ratification, acceptance, approval or accession with the Government of Switzerland, in accordance with article 13 (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification or approval (AA)</i>
France	29 May 1984 AA
Spain*	7 April 1988

* See p. 270 of this volume for the text of the declaration made upon ratification.

Article 5

The certificate of attribution of different family names shall conform to the model annexed to this Convention.

No modification of that model may be made by a contracting State without the prior approval of the International Commission on Civil Status.

Article 6

All entries in the certificate shall be written in the printed Roman alphabet; they may also be written in the alphabet of the language of the authority issuing the certificate.

Article 7

1. Dates shall be written in Arabic numerals indicating successively the day, the month and the year under the symbols JO, MO, and AN. The day and the month shall be indicated by two figures, the year by four figures. The first nine days of the month and the first nine months of the year shall be indicated by figures from 01 to 09.

2. When a place mentioned in the certificate is not in the State of the authority issuing the certificate, the name of the place shall be followed by the name of the State in which it is situated.

3. The following symbols shall be used exclusively:

- To indicate the masculine sex, the letter M, to indicate the female sex, the letter F,
- To indicate nationality, the letters used to designate the country for purposes of vehicle registration,
- To indicate refugee status, the letters REF,
- To indicate stateless status, the letters APA.

Article 8

If the competent authority is unable to fill the allotted space or a part thereof, lines shall be drawn across that space or part thereof to render it unusable.

Article 9

1. On the front of each certificate, the invariable headings, except for the symbols concerning dates referred to in article 7, shall be printed in at least two languages, including the language or one of the official languages of the State where the certificate is issued and the French language.

2. The meaning of the symbols shall be indicated in at least the language or one of the official languages of each State which is a member of the International Commission on Civil Status at the time this Convention is signed, and in the English language.

3. The back of each certificate shall contain the following information:

- A reference to the Convention in the languages mentioned in paragraph 2 of this article,

- A translation of the invariable headings in the languages mentioned in paragraph 2 of this article, if those languages were not used on the front,
 - A summary of articles 5, 6, 7 and 8 of the Convention, at least in the language or one of the official languages of the State of the issuing authority of the certificate.
4. Any translation must be approved by the Bureau of the International Commission on Civil Status.

Article 10

1. Certificates shall be dated, signed and stamped by the issuing authority.
2. They shall be exempt from authentication or any equivalent formality on the territory of the contracting States.

Article 11

1. Upon signing, ratifying, accepting or approving or acceding to this Convention, each contracting State shall designate the authorities which are competent to issue the certificate.
2. Any subsequent change in that designation shall be reported to the Swiss Federal Council.

Article 12

This Convention shall be ratified, accepted or approved, and the instruments of ratification, acceptance or approval shall be deposited with the Swiss Federal Council.

Article 13

1. This Convention shall enter into force with effect from the first day of the third month following the deposit of the second instrument of ratification, acceptance, approval or accession.
2. For a State which ratifies, accepts, adopts or accedes to it after it has entered into force, the Convention shall enter into force on the first day of the third month following the date of the deposit by that State of its instrument of ratification, acceptance, approval or accession.

Article 14

Any State member of the International Commission on Civil Status, the European Communities or the Council of Europe may accede to this Convention. The instrument of accession shall be deposited with the Swiss Federal Council.

Article 15

No reservations to this Convention shall be permitted.

Article 16

1. Any State may, upon signature, ratification, acceptance, approval or accession or at any time subsequent thereto, declare that the applicability of this Convention shall be extended to all, one or several of the territories for whose international relations it is responsible.

2. The Swiss Federal Council shall be notified of the said declaration and the extension shall take effect at the time the Convention enters into force for the said State or, subsequently, on the first day of the third month following receipt of the notification.

3. Any declaration of extension may be withdrawn by notification addressed to the Swiss Federal Council and the Convention shall cease to be applicable to the territory concerned on the first day of the third month following the receipt of the said notification.

Article 17

1. This Convention shall remain in force indefinitely.

2. However, any State party to this Convention shall have the option of denouncing it at any time after a period of one year from the date of the entry into force of the Convention in respect of that State. The Swiss Federal Council shall be notified of the denunciation, which shall take effect on the first day of the sixth month following the receipt of the notification. The Convention shall remain in force in the other States.

Article 18

1. The Swiss Federal Council shall notify the States members of the International Commission on Civil Status and any other State which has acceded to this Convention of:

(a) The deposit of any instrument of ratification, acceptance, approval or accession;

(b) Any date of entry into force of the Convention;

(c) Any declaration concerning the territorial extension of the Convention or withdrawal thereof and the date on which it is to take effect;

(d) Any denunciation of the Convention and the date on which it is to take effect;

(e) Any designation of the competent authorities made in implementation of article 11, paragraph 1, and any change made pursuant to paragraph 2 of that article.

2. The Swiss Federal Council shall advise the Secretary-General of the International Commission on Civil Status of any notification submitted pursuant to paragraph 1.

3. Upon the entry into force of this Convention, a certified copy shall be transmitted by the Swiss Federal Council to the Secretary-General of the United Nations for the purposes of registration and publication, in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF the undersigned, duly authorized for this purpose, have signed this Convention.

DONE at The Hague on 8 September 1982 in one copy in the French language, which shall be deposited in the archives of the Swiss Federal Council, and of which a certified copy shall be transmitted through the diplomatic channel to each member State of the International Commission on Civil Status and to the acceding States. A certified copy shall also be transmitted to the Secretary-General of the International Commission on Civil Status.

For the Republic of Austria:

For the Kingdom of Belgium:

[BAEKELANDT]¹

For the French Republic:

France declares that, in implementation of articles 2 and 11 of this Convention, the certificates established in article 1 shall, as concerns France, be issued in French territory by French civil registry officials and abroad by its diplomatic and consular representatives.

[GUY DELTEL]

For the Federal Republic of Germany:

For the Republic of Greece:

[CHRISTOFOROS CHRISTOFORIDES]

For the Italian Republic:

[RICCARDO MONACO]

For the Grand Duchy of Luxembourg:

[HENRY DELVAUX]

For the Kingdom of the Netherlands:

[W. BREUKELAAR]

¹ The names of signatories appearing between brackets were not legible and have been supplied by the Government of Switzerland.

For the Republic of Portugal:

[JOÃO DE DEU PINHEIRO FARINHA]

For Spain:

[DIEGO ESPIN CANOVAS]

For the Swiss Confederation:

For the Republic of Turkey:

[TURHAN ESENER]

ANNEX

1	State :		
	2	Issuing authority:	
3	<u>Certificate of attribution of different family names</u>		
4	This certificate shall not undermine the legal provisions governing names		
	5	The undersigned authority certifies that	
6	Family name in the state listed above:		
7	Given names:		
8	Sex:	9	Place and number of the family register:
10	Nationality*:		
11	Date and place of birth:	JO	MO AN
		<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	12	Is, according to the evidence provided, designated in:	
13	State attributing a different family name:		
	14	By the family name	
15	Different family name		
16	Date of issue, Signature, Stamp	JO	MO AN
		<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

* Enter letters used to designate the country for purposes of vehicle registration.
Enter REF for refugee and APA for stateless.

SYMBOLES - ZEICHEN - SYMBOLS - SÍMBOLOS - ΣΥΜΒΟΛΑ - SIMBOLI -
SYMBOLEN - SIMBOLOS - ISARETLER

JO: Jour - Tag - Day - Dia - Ημέρα - Giorno - Dag - Dia - Gün

MO: Mois - Monat - Month - Mes - Μήνας - Mese - Maand - Mês - Ay

AN: Année - Jahr - Year - Año - Έτος - Anno - Jaar - Ano - Yil

M: Masculin - Männlich - Masculine - Masculino - Άνδρας - Maschile - Mannelijk - Masculino - Erkek

F: Féminin - Weiblich - Female - Femenino - Γυναίκα - Femminile - Vrouwelijk - Femenino - Kadın

REF: Réfugié - Flüchtling - Refugee - Refugiado - Πρόσφυγας - Rifugiato - Vluchteling - Refugiado - Mülteci

APA: Apatride - Staatenloser - Stateless - Apatrida - Χωρίς ίθαγένεια - Apolide - Staatloze - Apátrida - Vatansiz

Certificate issued in implementation of the Convention signed at The Hague on 8 September 1982

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Entries should be written in the printed Roman alphabet; they may also be written in the alphabet of the language of the authority issuing the certificate.

Dates should be written in Arabic numerals indicating successively the day, the month and the year under the symbols JO, MO and AN. The day and the month should be indicated by two figures, the year by four figures. The first nine days of the month and the first nine months of the year should be indicated by figures from 01 to 09.

When a place mentioned in the certificate is not in the State of the authority issuing the certificate, the name of the place should be followed by the name of the State in which it is situated.

If the authority issuing the certificate is unable to fill the allotted space or a part thereof, lines shall be drawn across that space or part thereof to render it unusable.

Any modification of the certificate model and any translation must be submitted to the International Commission on Civil Status for approval.

DECLARATION MADE
UPON RATIFICATIONDÉCLARATION FAITE LORS
DE LA RATIFICATION*SPAIN**ESPAGNE*

[SPANISH TEXT — TEXTE ESPAGNOL]

“España designa a los efectos del artículo 2 del Convenio, como autoridad competente a: El Juez encargado del Registro civil correspondiente”.

[TRANSLATION — TRADUCTION]

[TRADUCTION¹ — TRANSLATION²]

For the purposes of article 2 of the Convention, Spain designates the judge of the civil registry office concerned as the competent authority.

L'Espagne désigne, en relation avec l'article 2 de la Convention, comme autorité compétente, le juge chargé du Registre civil correspondant.

¹ Traduction fournie par le Gouvernement suisse.

² Translation supplied by the Government of Switzerland.