

No. 13273

MULTILATERAL

Convention concerning changes of surnames and given names. Concluded at Istanbul on 4 September 1958

Authentic text: French.

Registered by Switzerland, acting on behalf of the Parties, on 3 May 1974.

MULTILATÉRAL

Convention relative aux changements de noms et de prénoms. Conclue à Istanbul le 4 septembre 1958

Texte authentique: français.

Enregistrée par la Suisse, agissant au nom des Parties, le 3 mai 1974.

[TRANSLATION — TRADUCTION]

CONVENTION¹ CONCERNING CHANGES OF SURNAMES AND GIVEN NAMES

The Governments of the Federal Republic of Germany, the Kingdom of Belgium, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Swiss Confederation and the Republic of Turkey, members of the International Commission on Civil Status, desiring to establish by mutual agreement rules relating to changes of surnames and given names, have agreed on the following provisions:

Article 1. The present Convention concerns changes of surnames or given names authorized by the competent public authority, excluding those resulting from a change in personal status or the rectification of an error.

Article 2. Each Contracting State undertakes not to authorize changes of surnames or given names for nationals of another Contracting State, unless they are also its own nationals.

Article 3. Definitive decisions rendered in a Contracting State authorizing a change of surname or given names for its nationals, or, when they have their domicile or, failing that, their residence in its territory, for stateless persons or refugees in the sense of the Geneva Convention of 28 July 1951,² shall be automatically enforceable in the territory of each Contracting State, provided that they are not prejudicial to its *ordre public*.

¹ Came into force on 24 December 1961 in respect of the following States, i.e. the thirtieth day that followed the date of deposit of the second instrument of ratification with the Government of Switzerland, in accordance with article 7:

<i>State</i>	<i>Date of deposit of instrument of ratification</i>
France (By a notification effected with the Government of Switzerland on 15 July 1960, France declared, in accordance with article 8, that the Convention would apply to the following overseas territories: St. Pierre and Miquelon, French Somaliland, New Caledonia and dependencies, French Polynesia, and that it did not apply to the Comoro Islands.)	24 September 1959
Germany, Federal Republic of (With a declaration to the effect that the Convention also applies to <i>Land Berlin</i> .)	24 November 1961

Thereafter, the instruments of ratification or accession of the following States were deposited with the Government of Switzerland on the dates indicated, with effect from the thirtieth day after those dates, in accordance with articles 7 and 9:

<i>State</i>	<i>Date of deposit of instrument of ratification or accession (a)</i>
Netherlands (With effect from 27 April 1962. For the Kingdom in Europe, Surinam, the Netherlands Antilles and Netherlands New Guinea.)	28 March 1962
Turkey (With effect from 8 October 1962.)	8 September 1962
Austria (With effect from 1 October 1965.)	1 September 1965 ^a
Italy (With effect from 7 December 1968.)	7 November 1968 ^a

² United Nations, *Treaty Series*, vol. 189, p. 137.

These decisions shall, without further formality, be mentioned in the margins of civil registration documents relating to the persons concerned.

Article 4. The provisions of the preceding article shall be applicable to decisions annulling or revoking a change of surname or given names.

Article 5. Notwithstanding the provisions of articles 3 and 4, any Contracting State may make the effects in its territory of decisions rendered in another Contracting State dependent upon special conditions relating to publicity and a right of opposition, the modalities of which shall be determined by the State concerned, when those decisions concern persons who were also its own nationals at the time when the decisions became definitive.

Article 6. The present Convention shall be ratified and the instruments of ratification shall be deposited with the Swiss Federal Council.

The latter shall inform the Contracting States of any deposit of an instrument of ratification.

Article 7. The present Convention shall enter into force on the thirtieth day following the date of deposit of the second instrument of ratification mentioned in the preceding article.

For each signatory State subsequently ratifying the Convention, the latter shall enter into force on the thirtieth day following the date of deposit of its instrument of ratification.

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, ratification or 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, States or territories for whose international relations it is responsible. The Swiss Federal Council shall inform each Contracting State of the said 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 said 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 Contracting State of the new notification.

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

Article 9. Any State member 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 Contracting State of any deposit of an 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 may be revised.

Proposals for revision shall be submitted to the Swiss Federal Council, which shall transmit them to the Contracting States and to the Secretary-General of the International Commission on Civil Status.

Article 11. The present Convention shall be valid for 10 years from the date indicated in the first paragraph of article 7.

The Convention shall be tacitly renewed for periods of 10 years provided it is not denounced.

Notification of such denunciation must be submitted, at least six months before the expiry of the Convention, to the Swiss Federal Council, which shall inform all the other Contracting States.

The denunciation shall have effect only with regard to the State which submitted it. The Convention shall remain in force for the other Contracting States.

IN WITNESS WHEREOF the undersigned representatives, being duly authorized thereto, have signed the present convention.

DONE at Istanbul this fourth day of September one thousand nine hundred and fifty-eight in a single copy which shall be deposited in the archives of the Swiss Federal Council and a certified true copy of which shall be transmitted through the diplomatic channel to each Contracting State.

For the Government
of the Federal Republic
of Germany:
[VON GRAEVENITZ]
[FICKER]

For the Government
of the Kingdom of Belgium:
[CHARLES GÉRARD]

For the Government
of the French Republic:
[GUY DELTEL]

For the Government
of the Grand Duchy
of Luxembourg:

For the Government
of the Kingdom
of the Netherlands:
[P. J. DE KANTER]
[TH. VAN SASSE]

For the Government
of the Swiss
Confederation:

For the Government
of the Republic
of Turkey:
[NECDET KENT]

At the time of the signature of the present Convention, the representatives of the Government of the Kingdom of the Netherlands made the following declaration:

In view of the equality which exists from the point of view of public law between the Netherlands, Surinam and the Netherlands Antilles, the terms "metropolitan" and "extra-metropolitan" mentioned in the Convention lose their original meaning as regards the Kingdom of the Netherlands and will therefore, as regards that Kingdom, be considered as meaning, respectively, "European" and "non-European".

[P. J. DE KANTER]
[TH. VAN SASSE]