

**United Nations Conference on the Elimination or Reduction of Future
Statelessness**

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**Organization and work of the conference during the period from 24 March to 17 April
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UNITED NATIONS CONFERENCE ON THE ELIMINATION
OR REDUCTION OF FUTURE STATELESSNESS

ORGANIZATION AND WORK OF THE CONFERENCE DURING
THE PERIOD FROM 24 MARCH TO 17 APRIL 1959

Note by the Secretariat

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(20 p.)

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I. Organization of the Conference

Attendance at the Conference

1. The United Nations Conference on the Elimination or Reduction of Future Statelessness, convened by virtue of General Assembly resolution 896 (IX) of 4 December 1954, met at the European Office of the United Nations in Geneva from 24 March to 17 April 1959.* The following thirty-five States were represented at the Conference: 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, United Kingdom, United States, Yugoslavia. Greece and Finland were represented by observers at the Conference, as were the Office of the High Commissioner for Refugees and the following intergovernmental organizations: Council of Europe, Intergovernmental Committee for European Migration, International Institute for the Unification of Private Law, League of Arab States. In addition, twenty-one non-governmental organizations attended the Conference.

Election of President and Vice-Presidents

2. The Conference elected Mr. Knud Larsen (Denmark) as President (A/CONF.9/SR.1, p. 3) and Mr. Ichiro Kawasaki (Japan) and Mr. Humberto Calamari (Panama) as Vice-Presidents (A/CONF.9/SR.1, p. 4).

Adoption of Rules of Procedure and Agenda

3. The Conference adopted without change (A/CONF.9/SR.1, p. 4) the Provisional Rules of Procedure (A/CONF.9/2) and the Provisional Agenda (A/CONF.9/1) on the understanding that item 7 might be taken before item 6. The Agenda consisted of the following items: 1. Opening of the Conference by the Secretary-General; 2. Election of the President; 3. Adoption of the Agenda; 4. Adoption of the rules of procedure; 5. Election of Vice-Presidents; 6. Organization of work;

* A list of the documents of the Conference issued during this period may be found in document A/CONF.9/L.79.

7. Examination of the question of the elimination or reduction of future statelessness; 8. Adoption of convention(s) or other instruments; 9. Signature of the Final Act and of the convention(s) or other instruments.

Credentials

4. In accordance with Rule 3 of the Rules of Procedure, the President and Vice-Presidents examined the credentials of representatives and their report thereon (A/CONF.9/L.66) was adopted by the Conference (A/CONF.9/SR.12, p. 2).

Basis of Discussion - Method of Work

5. After a short general debate the Conference adopted (A/CONF.9/SR.2, p. 10) as a basis for discussion the draft convention prepared by the International Law Commission on the reduction of future statelessness, rather than that on the elimination of future statelessness (A/CONF.9/L.1). The Conference then proceeded to discuss the text of that draft convention article by article before deciding, in view of procedural difficulties regarding the reconsideration of texts, that a Committee of the Whole Conference should be set up to give a first reading to all proposals (A/CONF.9/SR.7, p. 5). Such a Committee was then constituted with the President of the Conference as Chairman and the Vice-Presidents of the Conference as Vice-Chairmen (A/CONF.9/C.1/SR.1, p. 2).

6. A Drafting Committee was appointed consisting of the representatives of Argentina, Belgium, France, Israel, Panama and the United Kingdom, the representative of Panama being elected as its Chairman (A/CONF.9/C.1/SR.5, p. 12).

7. The method of work followed by the Conference was to consider the draft convention article by article in the Committee of the Whole, to refer the texts adopted by the Committee of the Whole to the Drafting Committee, and to adopt the final text of each article in plenary after consideration of the drafts prepared by the Drafting Committee (A/CONF.9/L.40 and Add.1-5/Rev.1, A/CONF.9/L.42). It was decided that the Drafting Committee should also remedy discrepancies in drafting and report back to the Conference in plenary meeting before the vote was taken on the draft convention as a whole (A/CONF.9/SR.8, p. 5).

II. Work completed by the Conference

Articles adopted by the Conference in plenary

8. In accordance with the method of work outlined in the preceding paragraph, the Conference adopted at its ninth plenary meeting the texts of articles 1, 2 and 3; at its tenth plenary meeting the texts of articles 4, 5, 10, 11, 12, 14 and 15; at its eleventh plenary meeting the texts of a new article (Territorial Application clause), a new article (Effect of Convention), and a new article (Settlement of Disputes); at its twelfth plenary meeting the text of article 7; and at its thirteenth plenary meeting the texts of articles 9, 6 and a new article concerning relationship to national legislation, as well as a new paragraph to article 15.

9. The text of the articles adopted by the Conference and revised by the Drafting Committee reads as follows (A/CONF.9/L.78):

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.

2. A Contracting State may make the grant of its nationality in accordance 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 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.

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 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

* Adopted subject to a right of reservation.

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.

New article (Territorial Application clause)*

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.

New article (Effect of Convention)

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.

* Adopted subject to the right to enter reservations to this Article.

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.

New article

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.

New article (Settlement of Disputes)*

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 12

1. This Convention shall be opened for signature at Geneva on ... April 1959 and shall thereafter be deposited with the Secretary-General of the United Nations. It shall be open for signature at the European Office of the United Nations from ... April to 30 June 1959 and shall be re-opened for signature at the Headquarters of the United Nations from 3 August 1959 to 31 December 1960.

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

(a) any State Member of the United Nations;

(b) any other State invited to attend the United Nations Conference on 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.

* Adopted subject to the right to enter reservations to this Article.

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 14

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 15

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 ... , 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.

10. It is to be noted that, of the articles adopted by the Conference, the following three were adopted subject to a right of reservation: (1) article 11, (2) new article (Territorial Application clause), and (3) new article (Settlement of Disputes).

III. Work awaiting completion

Article 8: (Adopted by the Committee of the Whole)

11. Article 8 was adopted by the Committee of the Whole but was not adopted by the Conference. The International Law Commission's draft article 8 reads as follows (A/CCNF.9/L.1):

1. A Party may not deprive its nationals of their nationality by way of penalty or on any other ground if such deprivation renders them stateless, except on the ground mentioned in article 7, paragraph 3, or on the ground that they voluntarily enter or continue in the service of a foreign country in disregard of an express prohibition of their State.

2. In the cases to which paragraph 1 above refers, the deprivation shall be pronounced in accordance with due process of law which shall provide for recourse to judicial authority.

12. The text adopted for article 8 by the Committee of the Whole and revised by the Drafting Committee reads as follows (A/CONF.9/L.40/Add.3):

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

(2) At the time of signature, ratification or accession a Contracting State may make a reservation to paragraph (1) of this article reserving to itself the right to deprive a person of its nationality notwithstanding that he would thereby be rendered stateless, on such of the following grounds as may be specified at the time of signature, ratification or accession:

(a) in the case of a natural-born national, on the ground of:

(i) having voluntarily entered or continued in the service of a foreign country in disregard of an express prohibition by the Contracting State, or

(ii) having taken an oath or made a declaration of allegiance to a foreign country;

(b) in the case of a national other than a natural-born national, on the ground of:

(i) false representation or fraud for the purpose of obtaining the Contracting State's nationality, provided that deprivation proceedings are brought within five years of the acquisition of that nationality, or

/...

- (ii) having been convicted officially and publicly of a treasonable or disloyal act or, in the case of a person accused of such an act who is in a foreign country, failing to return for trial, or
- (iii) having voluntarily entered or continued in the service of a foreign country in disregard of an express prohibition by the Contracting State, or
- (iv) having taken an oath, or made a declaration of allegiance to a foreign country, or
- (v) residence abroad for a consecutive period, being not less than seven years, specified by the law of the contracting State concerned, if he has failed to declare to the appropriate authority his intention to retain his nationality or he has no effective connexion with that State.

(3) Where a Contracting State has made such a reservation as is mentioned in paragraph 2 of this article, a national of that State shall not be deprived of his nationality except in accordance with procedure established by law, which shall provide for submission of the case to a completely independent and impartial body.

13. In plenary, a number of amendments to this text were adopted.

14. The representative of the Netherlands proposed that article 8, paragraph 2 (b) (ii), be replaced by the following text (A/CONF.9/SR.12, p. 10):

"having been convicted of a treasonable or disloyal act or, in the case of a person who is in a foreign country, having been officially accused of such an act, and, having been duly notified (légalement cité) of such an accusation, failing to return for trial".

The Netherlands amendment was adopted by 13 votes to none, with 17 abstentions (ibid.). It may be noted, however, that despite the adoption of the Netherlands amendment, the summary records indicate that the text adopted for the second part of paragraph 2 (b) (ii) was in the following terms (A/CONF.9/SR.13, p. 3):

"... or in the case of a person accused of such an act who is in a foreign country, failing to return for trial".

15. The representative of Brazil proposed (A/CONF.9/SR.13, p. 2) an amendment to article 8 in the following terms (A/CONF.9/L.72):

/...

"Paragraph 2

Replace the introductory phrase ending with the words 'ratification or accession' by the following: 'Notwithstanding paragraph 1 of this Article, at the time of signature, ratification or accession, any Contracting State may specify that the following may constitute grounds for depriving a person of the nationality:'

"Paragraph 3

In the first line replace the words 'made such a reservation as is' by 'specified such grounds for deprivation as are'."

The representative of the United Kingdom suggested (ibid.) that the words "any or all of" be added between the words "specify that" and the words "the following" in the Brazilian amendment to paragraph 2. With those additional words, the Brazilian amendment to paragraph 2 and the consequential amendment to paragraph 3 were adopted by 16 votes to 3, with 10 abstentions (ibid.).

16. The representative of Italy suggested that the final words of paragraph 2 (b) (v), "or he has no effective connexion with that State", be deleted (A/CONF.9/SR.13, p. 4). Paragraph 2 (b) (v), without those words, was adopted by 12 votes to 1, with 17 abstentions (ibid., p. 5).

17. The representative of the Federal Republic of Germany submitted (A/CONF.9/SR.13, p. 5) an amendment proposing that article 8, paragraph 2, be replaced by the following paragraph:

"2. Notwithstanding paragraph 1 of this article, at the time of signature, ratification or accession, any Contracting State may specify any or all of the grounds admitted by the existing legislation for depriving a person of his nationality which will be maintained".

This amendment was adopted by 16 votes to 11, with 7 abstentions (ibid., p. 6).

18. At the following meeting the representative of Canada introduced (A/CONF.9/SR.14, p. 2) a joint amendment to article 8 proposed by Canada and the United Kingdom, which was the result of the work of an informal meeting of three delegations which had voted in favour of the amendment submitted by the Federal Republic of Germany, three which had voted against it, and one which had

abstained. At the same time he moved that the decision on the German amendment be reconsidered (ibid., p. 3). The motion for reconsideration was carried by 17 votes to 6, with 10 abstentions (ibid., p. 4).

19. The joint amendment proposed that article 8 should read as follows (A/CONF.9/L.76):

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

2. Notwithstanding anything in paragraph 1 of this Article, a person other than a natural born national may be deprived of his nationality so as to be rendered stateless:

(a) on the ground mentioned in paragraph 4 of Article 7, or

(b) on the ground of false representation or fraud for the purpose of obtaining the Contracting State's nationality.

3. At the time of signature, ratification or accession a Contracting State may make a reservation to paragraph 1 of this Article reserving to itself the right to deprive a person of its nationality, notwithstanding that he would thereby be rendered stateless, on any ground of national security and public order ("ordre publique") specified at the time of signature, ratification or accession, being a ground of deprivation recognized in the national law in force on ... April 1959.

4. In the cases in which deprivation is permitted under paragraph 2 of this Article or where a Contracting State has made such a reservation as is mentioned in paragraph 2 of this Article, a national of the Contracting State shall only be deprived of his nationality in accordance with procedure established by law, which shall provide for submission of the case to a completely independent and impartial body.

20. No vote was taken on the joint amendment to article 8, and, the question of article 8 was left outstanding.

Article 13

21. The text of the International Law Commission's draft article 13 reads as follows (A/CONF.9/L.1):

1. At the time of signature, ratification or accession any State may make a reservation permitting it to postpone, for a period not exceeding two years, the application of the convention pending the enactment of necessary legislation.

2. No other reservations to the present convention shall be admissible.

The Committee of the Whole decided to delete paragraph 1 (A/CONF.9/C.1/SR.13, p. 6). It was agreed that further discussion of article 13 be deferred until the plenary meetings resumed (A/CONF.9/C.1/SR.20, p. 2). Thereafter, the Committee adopted the suggestion of the Chairman that, in order to provide two opportunities for discussing article 13, it should be considered again at a resumed meeting of the Committee, after a final decision had been reached in the plenary meeting on articles 1 to 12, that the agreed text should be referred to the Drafting Committee for revision, and that the text as revised should be finally considered in plenary (ibid.). The circumstances in which the Conference closed, however, precluded that course of action, and the matter remains open.

Article 16

22. The Committee of the Whole approved (A/CONF.9/C.1/SR.18, p. 2) the text of the International Law Commission's draft as amended by document A/CONF.9/L.24 as amended by document A/CONF.9/L.33. The article was not discussed by the Conference in plenary. The text of the article as approved by the Committee of the Whole would read as follows:

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 12 of the following particulars:

- (a) Signatures, ratifications and accessions under article 12;
- (b) Reservations under article 13*;
- (c) The date upon which the present convention enters into force in pursuance of article 14;
- (d) Denunciations under article 15.

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 an agency as therein mentioned.

Article 17

23. The text of the International Law Commission's draft article 17 reads as follows (A/CONF.9/L.1):

* With regard to the status of article 13, see paragraph 21 above.

1. The present convention shall be deposited with the Secretariat of the United Nations.

2. A certified copy of the convention shall be transmitted to all Members of the United Nations and to the non-member States referred to in article 12.

The Committee of the Whole agreed that it should be deleted and that the final provision of the Danish draft (A/CONF.9/4, p. 20) be approved as the final article of the Convention (A/CONF.9/C.1/SR.9, p. 14). The text of the final provision as adopted by the Committee of the Whole and revised by the Draft Committee reads as follows (A/CONF.9/L.40/Add.5/Rev.1):

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Convention on behalf of their respective Governments.

DONE at, this day of, one thousand nine hundred and fifty-....., in a single copy, of which the texts are equally authoritative and which shall remain 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 non-member States referred to in article 12.

Article 18

24. The text of the International Law Commission's draft article 18 reads as follows (A/CONF.9/L.1):

"The present convention shall be registered by the Secretary-General of the United Nations on the date of its entry into force."

The Committee of the Whole agreed that it should be deleted (A/CONF.9/C.1/SR.9, p. 14).

Title of Convention

25. The Committee of the Whole agreed that the title of the Convention should be "Convention on the Reduction of Statelessness" (A/CONF.9/C.1/SR.12, p. 2).

Preamble

26. The Committee of the Whole agreed to amend the text of the preamble (A/CONF.9/C.1/SR.19, p. 6). The text of the preamble as adopted by the Committee and revised by the Drafting Committee reads as follows (A/CONF.9/L.40/Add.5/Rev.1):

/...

"The Contracting States,

"Acting in pursuance of resolution 896 (IX), 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:"

Draft resolutions adopted by the Committee of the Whole

27. The Committee of the Whole adopted a Danish draft resolution (A/CONF.9/L.52) regarding the interpretation of the terms "naturalization" and "naturalized persons" (A/CONF.9/C.1/SR.20, p. 2), and a Belgian draft resolution (A/CONF.9/L.48) regarding de facto statelessness (A/CONF.9/C.1/SR.19, p. 10). The texts of these resolutions as revised by the Drafting Committee read as follows (A/CONF.9/L.40/Add.6, Parts II and III):

(1) "The Conference

"Recommends that persons who, not enjoying the protection of a government, are stateless de facto should as far as possible be treated as stateless de jure to enable them to acquire an effective nationality."

(2) "The Conference

"Agrees that for the purposes of the Convention the terms 'naturalization' and 'naturalized person' shall be interpreted as referring respectively only to the acquisition of nationality and to a person who has acquired nationality upon an application which the Contracting State concerned may, in its discretion, refuse; acquisition upon an application which could not have been so refused shall not be considered as naturalization, even though the Contracting State concerned in such cases adopted the procedure of naturalization."

Proposed new article to follow article 4

28. The representative of Denmark proposed the following text of a new article to follow article 4 (A/CONF.9/L.73):

"A Contracting State shall grant its nationality to an unmarried minor child of a person who in accordance with Article 1 or 4 of this Convention acquires that nationality, if the child would otherwise be stateless. The national law of the Contracting State determines whether a child in such case shall follow the father or the mother."

This text was not discussed either in the Committee of the Whole or in plenary.

/...

Draft resolutions submitted but not discussed

29. Draft resolutions proposed by Norway and Israel respectively were not discussed in either the Committee of the Whole or in plenary. The text of the draft resolution proposed by Norway reads as follows (A/CONF.9/L.74):

"The Conference recommends Contracting Parties 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."

The text of the draft resolution proposed by Israel reads as follows (A/CONF.9/L.75):

"The Conference

Agrees that for the purpose of the Convention the term 'convicted' shall mean 'convicted by a final judgment of a court of competent jurisdiction'."
