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Text of Articles adopted by the Conference

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UNITED NATIONS CONFERENCE ON THE ELIMINATION
OR REDUCTION OF FUTURE STATELESSNESS

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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 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 has not acquired a nationality at birth or subsequently.

3. Notwithstanding paragraphs 1 (b) and 2 of this article, a child born in wedlock in the territory of a Contracting State, the mother of which is a national, shall acquire at birth the nationality of that State 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 both 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 applicant 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 applicant has not acquired a nationality ~~of~~ birth or subsequently.

Article 2

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

Article 3

For the purpose of determining the obligations of the Contracting States under this Convention,

- (a) Birth on a ship flying the flag of a State,
or
- (b) Birth in an aircraft registered in a State, shall be deemed to have taken place in the territory of that State.

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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 applicant 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 applicant has not been convicted of an offence against national security; and

- (d) that the applicant has not acquired a nationality at birth or subsequently.

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 legislation of a Contracting State, a natural child 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 article 1, paragraph 2, of this Convention.

Article 10

1. Every treaty between Contracting States providing for the transfer of a 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.

* Adopted subject to a right of reservation

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

Article 14

1. The present 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

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 said Contracting State one year after the date of its receipt by the Secretary-General.

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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 the present 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 Party shall notify the Secretary-General of the United Nations. The present 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 in paragraph 2 of the present 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 the present Convention may have been withheld.

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

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.

New Article (Effect of Convention)

1. In relation to a Contracting State which does not, in accordance with the provisions 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 3 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 7**

1. (a) Renunciation, if permitted by the law of a Contracting State, shall not result in loss of nationality unless the person renouncing it possesses or acquires another nationality.
(b) The provisions of the preceding sub-paragraph may not be invoked against the exercise by a person of the rights defined in articles 13 and 14 of the Universal Declaration of Human Rights.
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.

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

** As adopted paragraph by paragraph. The article has not yet been voted upon as a whole.

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 or registration.