

CONVENTION RELATING TO THE STATUS OF STATELESS PERSONS

The Working Party on an International Convention on Human Rights, established by the Commission on Human Rights at its second session in 1947 (E/600, para. 15), presented to the Commission, at the same session, a report containing, *inter alia*, a draft resolution recognizing the desirability of giving early consideration to the position of stateless persons (E/CN.4/56, p. 15). On that basis, the Commission adopted a resolution expressing, *inter alia*, the wish that early consideration be given by the United Nations to the legal status of persons who do not enjoy the protection of any government, in particular pending the acquisition of a nationality, as regards their legal and social protection and their documentation (see report of the Commission on Human Rights, E/600, para. 46).

The question was considered by the Economic and Social Council in plenary on 5 February and 2 March 1948, and at its Social Committee on 20 February 1948. On 19 February 1948, the United Kingdom proposed a draft resolution (E/AC.7/62), which was adopted with minor amendments by the Social Committee on 20 February 1948 and by the Economic and Social Council in resolution 116 D (VI) of 2 March 1948. In that resolution, the Economic and Social Council requested, *inter alia*, the Secretary-General, in consultation with interested commissions and specialized agencies, to undertake a study on the existing situation with regard to the protection of stateless persons, and on national legislation and international agreements and conventions relevant to statelessness, and to make recommendations to the Council on interim measures that might be taken by the United Nations and as to the desirability of concluding a further convention on the subject.

At its ninth session, in 1949, the Economic and Social Council considered the study submitted by the Secretary-General (E/1112, and Add. 1 and 2), as well as a communication from the International Refugee Organization (E/1392) containing a memorandum on the problem of statelessness. By resolution 248 B (IX) of 8 August 1949, the Economic and Social Council established an *ad hoc* committee, composed of representatives of thirteen Governments, which it entrusted to consider the desirability of preparing a convention relating to the international status of refugees and stateless persons.

In its report of 17 February 1950 (E/1618 and Corr.1), the *Ad Hoc* Committee on Statelessness and Related Problems recommended the instrument of a convention as the most effective approach to the solution of the problem. The Economic and Social Council examined the report of the *ad hoc* committee at its eleventh session, in 1950, and, by resolution 319 B III (XI) of 16 August 1950, it requested the Secretary-General to seek information from States with regard to the problem of statelessness.

On 25 August 1950, the *ad hoc* committee submitted a report (E/1850) to the General Assembly, which contained, in addition to a revised draft convention relating to the status of refugees, a draft protocol relating to the status of stateless persons. The General Assembly considered the report and adopted, on the recommendation of its Third Committee, resolution 429 (V) of 14 December 1950, by which it expressed the desirability of convening a conference in which both Member States of the United Nations and non-Member States would be able to participate and decided to convene in Geneva a conference of plenipotentiaries to complete the drafting of, and to sign, both the Convention relating to the Status of Refugees and the Protocol relating to the Status of Stateless Persons.

The United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, which met from 2 to 25 July 1951, decided not to take a decision

regarding the draft Protocol relating to the Status of Stateless Persons and referred it back to the appropriate United Nations organs for further study (A/CONF.2/108/Rev.1).

In accordance with the Economic and Social Council's resolution 319 B III (XI), the Secretary-General submitted the information received from States for consideration by the Council at its twelfth session, in 1951. By resolution 352 (XII) of 13 March 1951, the Economic and Social Council deferred further discussion on the topic to its fourteenth session, in 1952. It also requested the Secretary-General to address another communication to Governments, inviting them to submit their observations and to produce a consolidated report on the basis of the replies received from Governments.

On 2 February 1952, the Third Committee of the General Assembly had before it a memorandum by the Secretary-General (A/1913) transmitting the resolution adopted by the Conference of Plenipotentiaries by which it had referred the draft Protocol relating to the Status of Stateless Persons back to the appropriate organs of the United Nations for further study. The General Assembly adopted resolution 539 (VI) of 4 February 1952 by which it decided to defer consideration of the draft Protocol relating to the Status of Stateless Persons until its seventh regular session.

In accordance with resolutions 319 B III (XI) and 352 (XII) of the Economic and Social Council, the Secretary-General prepared a consolidated report analyzing the information that he had received from Member States (E/2230 and Add. 1). Although the report was transmitted to the Economic and Social Council, it was not considered by the Council at its fourteenth session, in 1952.

At its seventh session, the General Assembly adopted resolution 629 (VII) of 6 November 1952, by which it requested the Secretary-General to collect comments from Governments concerning the draft Protocol. It further requested the Economic and Social Council to study the text of the draft Protocol and the comments received from Governments, and, in the light of these comments, to take whatever action seemed useful in order that a text may be opened for signature after the Convention relating to the Status of Refugees had entered into force.

On 26 April 1954, the Economic and Social Council adopted resolution 526 A and B (XVII), by which it decided that a second conference of plenipotentiaries should be convened in order to revise and adopt the draft Protocol. The United Nations Conference on the Status of Stateless Persons, which took place at United Nations Headquarters in New York from 13 to 23 September 1954, decided that it was more appropriate to adopt an independent convention dealing with stateless persons, considering the fact that Governments unwilling to ratify the Convention relating to the Status of Refugees might nonetheless wish to become parties to an instrument benefiting the stateless. The Conference adopted the Convention relating to the Status of Stateless persons on 28 September 1954 (for the Final Act of the Conference and the text of the Convention, see United Nations, *Treaty Series*, vol. 360, p. 117). The Convention was opened for signature from the same date until 31 December 1955. It entered into force on 6 June 1960, in accordance with its article 39.