

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

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**History of the two draft conventions, one dealing with the elimination of future
statelessness and the other with the reduction of future statelessness, prepared by
the International Law Commission**

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HISTORY OF THE TWO DRAFT CONVENTIONS, ONE DEALING WITH
THE ELIMINATION OF FUTURE STATELESSNESS AND THE OTHER
WITH THE REDUCTION OF FUTURE STATELESSNESS, PREPARED
BY THE INTERNATIONAL LAW COMMISSION

1. At its first session, in 1949, the International Law Commission selected "nationality, including statelessness", as a topic for codification. It did not, however, include that subject in the list of topics to which it gave priority^{1/},
2. During its third session, in 1951, the Commission was notified of resolution 319 B III (XI) adopted by the Economic and Social Council on 11 August 1950, in which the Council requested the Commission to "... prepare at the earliest possible date the necessary draft international convention or conventions for the elimination of statelessness". In response to that request, the Commission at the same session decided to initiate work on the topic of nationality, including statelessness, and appointed Mr. Manley O. Hudson special rapporteur on the subject^{2/}.
3. Mr. Hudson, at the fourth session of the Commission, in 1952, submitted a report on nationality, including statelessness (A/CN.4/50). The report comprised a working paper on the subject of statelessness. In the course of its discussion of the report, the Commission decided to request the special rapporteur to prepare, for consideration at the fifth session, a draft convention on the elimination of future statelessness and one or more draft conventions on the reduction of future statelessness^{3/}.
4. At the end of the fourth session, the Commission appointed Mr. Roberto Cordova special rapporteur on the topic of nationality, including statelessness, to replace Mr. Hudson, who felt unable to continue as special rapporteur.

1/ Official records of the General Assembly, fourth session, Supplement No.10, A/925, paragraphs 16 and 20.

2/ Ibid., sixth session, Supplement No.9, A/1858, paragraph 85.

3/ Ibid., seventh session, Supplement No.9, A/2163, paragraphs 29 and 31.

5. The Special Rapporteur presented to the Commission at its fifth session a report (A/CN.4/64) containing articles of two draft conventions: one on the elimination of future statelessness and another on the reduction of future statelessness.

6. The Commission discussed the two drafts at its 211th to 225th and 231st to 234th meetings. At its 234th meeting, held on 7 August 1953, the Commission adopted provisional drafts ^{4/} of both conventions and decided, in accordance with article 16 (h) and article 21, paragraph 2, of its Statute, to invite Governments to submit their comments on the draft conventions as formulated by it.

7. The Governments of the following fifteen countries replied with detailed comments on the two draft conventions in question: Australia, Belgium, Canada, Costa Rica, Denmark, Egypt, Honduras, India, Lebanon, the Netherlands, Norway, Philippines, Sweden, the United Kingdom and the United States of America (A/CN.4/82, Add.1-8) ^{5/}.

8. At its sixth session in 1954, during its 242nd to 245th, 250th, 251st, 271st, 273rd to 276th and 280th meetings, the Commission discussed the observation of Governments and redrafted some of the articles in the light of their comments ^{6/}.

9. In its resolution 896 (IX) of 4 December 1954, the General Assembly, considering, inter alia, that the International Law Commission had presented two revised draft conventions on the elimination of future statelessness and on the reduction of future statelessness, expressed the desire, in paragraph 2 of the resolution, "that an international conference of plenipotentiaries be convened to conclude a convention for the reduction or elimination of future statelessness as soon as at least twenty States have communicated to the Secretary-General their willingness to co-operate in such a conference."^{7/} In paragraph 3 of the same resolution, the General Assembly requested the Secretary-General:

"(a) To communicate, together with the present resolution, the revised draft Conventions to Member States and to each non-member State which is or hereafter becomes a member of one or more of the specialized agencies of the United Nations or which is or hereafter becomes a Party to the Statute of the International Court of Justice;

^{4/} Ibid., eighth session, Supplement No.9, A/2456, paragraph 162

^{5/} Ibid., ninth session, Supplement No.9, A/2693, Annex

^{6/} Ibid., ninth session, Supplement No.9, A/2693, paragraph 25.

^{7/} Ibid., ninth session, Supplement No.21, A/2890.

"(b) To fix the exact time and place for the conference, to issue invitations to those States to which the revised draft Conventions have been communicated and to take all other measures for the convening of the conference and for its operation in case the condition stated in paragraph 2 above is met"

10. The Secretary-General communicated the text of these drafts to the States referred to in paragraph 3(a) of the resolution by letters dated 8 and 10 February 1955, and by letters subsequently addressed to States newly admitted to membership in the United Nations, at the time of their admission. In those letters, the Secretary-General requested States to inform him whether they intended to take part in the conference envisaged in the resolution.

11. In a further letter, dated 11 August 1958, the Secretary-General informed the said States that the condition laid down in paragraph 2 of the resolution had been fulfilled, and that he had therefore decided to convene the United Nations Conference on the Elimination or Reduction of Future Statelessness at the European Office of the United Nations, Geneva, for the period from 24 March to 17 April 1959. He also requested States to submit their comments on the two revised draft conventions in question before 30 November 1958. The text of the comments presented by governments up to 23 March 1958 in accordance with that request are reproduced in a separate document (A/CONF.9/5 and Add.1-2).