

# **United Nations Conference on Consular Relations**

Vienna, Austria  
4 March – 22 April 1963

Document:-  
**A/CONF.25/14**

## **Optional Protocol concerning Acquisition of Nationality**

Extract from Volume II of the *Official Records of the United Nations Conference on Consular Relations*  
(Annexes, Vienna Convention on Consular Relations, Final Act, Optional Protocols, Resolutions)

(e) A collection of bilateral consular treaties, a collection of laws and regulations regarding diplomatic and consular privileges and immunities, a bibliography on consular relations, a guide to the draft articles on consular relations, and other pertinent documentation prepared by the Secretariat of the United Nations.

12. The Conference initially allocated the consideration of the draft articles on consular relations adopted by the International Law Commission and the preparation of the preamble, final provisions, final act and any protocols it might consider necessary in the course of its work, to the First and Second Committees as follows :

*First Committee* : draft articles 2 to 27, 68, 70 and 71 ; preamble ; final provisions ; final act of the Conference ; and any protocols which the Conference might consider necessary.

*Second Committee* : draft articles 28 to 67 and 69.

Subsequently, the Conference re-allocated draft articles 52 to 55 from the second to the First Committee. The Conference also initially allocated draft article 1 to the Drafting Committee, for report direct to the Conference but, subsequently, the Conference decided that the Drafting Committee should report on that draft article to the Conference through the First Committee.

13. On the basis of the deliberations, as recorded in the records of the plenary meetings and in the records and reports of the First and Second Committees, the Conference prepared the following Convention and Protocols :

- Vienna Convention on Consular Relations ;
- Optional Protocol concerning Acquisition of Nationality ;
- Optional Protocol concerning the Compulsory Settlement of Disputes.

14. The foregoing Convention and Protocols, which are subject to ratification, were adopted by the Conference on 22 April 1963, and opened for signature on 24 April 1963, in accordance with their provisions, until 31 October 1963 at the Federal Ministry for Foreign Affairs of the Republic of Austria and, subsequently, until 31 March 1964, at the United Nations Headquarters in New York. The same instruments were also opened for accession, in accordance with their provisions.

15. After the closing date for signature at the Federal Ministry for Foreign Affairs of the Republic of Austria on 31 October 1963, the Convention and Protocols will be deposited with the Secretary-General of the United Nations.

16. In addition, the Conference adopted the following resolutions, which are annexed to this Final Act :

Resolution on Refugees ;

Resolution expressing a tribute to the International Law Commission ;

Resolution expressing a tribute to the Federal Government and to the people of the Republic of Austria.

IN WITNESS WHEREOF the representatives have signed this Final Act.

*Done at Vienna* this twenty-fourth day of April, one thousand nine hundred and sixty-three, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. By unanimous decision of the Conference, the original of this Final Act shall be deposited in the archives of the Federal Ministry for Foreign Affairs of the Republic of Austria.

## DOCUMENT A/CONF.25/14

### Vienna Convention on Consular Relations Optional protocol concerning acquisition of nationality

*The States Parties to the present Protocol and to the Vienna Convention on Consular Relations*, hereinafter referred to as "the Convention", adopted by the United Nations Conference held at Vienna from 4 March to 22 April 1963,

*Expressing their wish* to establish rules between them concerning acquisition of nationality by members of the consular post and by members of their families forming part of their households,

*Have agreed* as follows.

#### Article I

For the purposes of the present Protocol, the expression "members of the consular post" shall have the meaning assigned to it in sub-paragraph (g) of paragraph 1 of article 1 of the Convention, namely, "con-

sular officers, consular employees and members of the service staff".

#### Article II

Members of the consular post not being nationals of the receiving State, and members of their families forming part of their households, shall not, solely by the operation of the law of the receiving State, acquire the nationality of that State.

#### Article III

The present Protocol shall be open for signature by all States which may become Parties to the Convention, as follows : until 31 October 1963 at the Federal Ministry for Foreign Affairs of the Republic of Austria and, subsequently, until 31 March 1964, at the United Nations Headquarters in New York.

*Article IV*

The present Protocol is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

*Article V*

The present Protocol shall remain open for accession by all States which may become Parties to the Convention. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

*Article VI*

1. The present Protocol shall enter into force on the same day as the Convention or on the thirtieth day following the date of deposit of the second instrument of ratification of or accession to the Protocol with the Secretary-General of the United Nations, whichever date is the later.

2. For each State ratifying or acceding to the present Protocol after its entry into force in accordance with paragraph 1 of this article, the Protocol shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

*Article VII*

The Secretary-General of the United Nations shall inform all States which may become Parties to the Convention:

(a) Of signatures to the present Protocol and of the deposit of instruments of ratification or accession, in accordance with articles III, IV and V;

(b) Of the date on which the present Protocol will enter into force, in accordance with article VI.

*Article VIII*

The original of the present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in article III.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Protocol.

*Done at Vienna, this twenty-fourth day of April, one thousand nine hundred and sixty-three.*

**DOCUMENT A/CONF.25/15****Vienna Convention on Consular Relations****Optional protocol concerning the compulsory settlement of disputes**

*The States Parties to the present Protocol and to the Vienna Convention on Consular Relations, hereinafter referred to as "the Convention", adopted by the United Nations Conference held at Vienna from 4 March to 22 April 1963,*

*Expressing their wish to resort in all matters concerning them in respect of any dispute arising out of the interpretation or application of the Convention to the compulsory jurisdiction of the International Court of Justice, unless some other form of settlement has been agreed upon by the parties within a reasonable period,*

*Have agreed as follows:*

*Article I*

Disputes arising out of the interpretation or application of the Convention shall lie within the compulsory jurisdiction of the International Court of Justice and may accordingly be brought before the Court by an application made by any party to the dispute being a Party to the present Protocol.

*Article II*

The parties may agree, within a period of two months after one party has notified its opinion to the other that a dispute exists, to resort not to the International

Court of Justice but to an arbitral tribunal. After the expiry of the said period, either party may bring the dispute before the Court by an application.

*Article III*

1. Within the same period of two months, the parties may agree to adopt a conciliation procedure before resorting to the International Court of Justice.

2. The conciliation commission shall make its recommendations within five months after its appointment. If its recommendations are not accepted by the parties to the dispute within two months after they have been delivered, either party may bring the dispute before the Court by an application.

*Article IV*

States Parties to the Convention, to the Optional Protocol concerning Acquisition of Nationality, and to the present Protocol may at any time declare that they will extend the provisions of the present Protocol to disputes arising out of the interpretation or application of the Optional Protocol concerning Acquisition of Nationality. Such declarations shall be notified to the Secretary-General of the United Nations.

*Article V*

The present Protocol shall be open for signature by all States which may become Parties to the Convention