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Summary record of the 161st meeting

Topic:
Nationality including statelessness

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Mr. Sandström's amendment, he would withdraw the last sentence.

48. Mr. el-KHOURI said that he had abstained from the vote on Mr. Sandström's amendment because, although he did not like it, he greatly preferred it to the first two sentences of Mr. Lauterpacht's proposal. The last sentence of Mr. Lauterpacht's proposal, on the other hand, which provided that

> "The draft convention should be in the form of articles accompanied by exhaustive comment, discussion and any relevant information"

served a useful purpose, and he would therefore sponsor it himself, subject to the words "The draft convention" being replaced by the words "The draft conventions" in view of the adoption of Mr. Sandström's amendment.

49. Mr. SPIROPOULOS asked whether Mr. el-Khouri did not agree that it would be sufficient to state merely that "The draft conventions should be in the form of articles accompanied by comment", which would be in accordance with the Commission's past practice.

50. Mr. el-KHOURI accepted Mr. Spiropoulos's suggestion.

Mr. el-Khouri's proposal was adopted, as amended, by 7 votes to 2, with 3 abstentions.

51. Mr. LIANG (Secretary to the Commission) referring to Mr. Sandström's amendment, suggested that the principles contained in points 4 to 19 of Section VI of Annex III to the special rapporteur's report could hardly be described as "attenuations" of the rules set forth in point 2. Indeed, those rules related to a somewhat different matter from that dealt with in points 4 to 19. He wondered therefore whether it might not be advisable to delete the words "containing attenuations of those principles" before reproducing in the Commission's report to the General Assembly the decision just taken.

52. Mr. el-KHOURI said that the amendment proposed by Mr. Hsu had been in the nature of an attenuation of the first of the two rules contained in point 2 of the points for discussion listed in Annex III to the special rapporteur's report, and that he regretted that that amendment had been withdrawn. Sub-paragraph (*b*) of Mr. Sandström's amendment meant that the special rapporteur would be empowered to suggest a limitation to the scope of application of the principles in ways similar to that which had been proposed by Mr. Hsu.

53. Mr. HSU pointed out that he had withdrawn his amendment because it had not commanded the support he had hoped for, particularly the endorsement of Mr. el-Khouri. He agreed with the Secretary that the words "containing attenuations of those principles" had little meaning in the text which had been adopted, and suggested that they might be deleted altogether.

54. In response to a request by Mr. SCELLE, the CHAIRMAN put to the vote Mr. Lauterpacht's proposal as amended, as a whole.

Mr. Lauterpacht's proposal as a whole was adopted, as amended, by 6 votes to 4, with 3 abstentions.

55. Mr. CÓRDOVA said that he had voted in favour of Mr. Sandström's amendment because the first part of it covered the essence of Mr. Lauterpacht's proposal, namely, that a draft convention should be prepared by the rapporteur based on the principles set out in paragraph 2 of section VI of Annex III to his report. Furthermore, it enabled the Commission to choose between two conventions, one for the total elimination of statelessness and the other for its reduction.

The meeting rose at 1.5 p.m.

161st MEETING

Thursday, 10 July 1952, at 9.45 a.m.

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Chairman: Mr. Ricardo J. ALFARO.

Rapporteur: Mr. Jean SPIROPOULOS

Present:

Members: Mr. Gilberto AMADO, Mr. Roberto CÓRDOVA, Mr. J. P. A. FRANÇOIS, Mr. Shuhsi HSU, Mr. Manley O. HUDSON, Faris Bey el-KHOURI, Mr. F. I. KOZHEVNIKOV, Mr. H. LAUTERPACHT, Mr. A. E. F. SANDSTRÖM, Mr. Georges SCELLE, Mr. J. M. YEPES, Mr. J. ZOUREK.

Secretariat: Mr. Ivan S. KERNO (Assistant Secretary-General in charge of the Legal Department), Mr. Yuen-li LIANG (Director of the Division for the Development and Codification of International Law, and Secretary to the Commission).

Nationality, including statelessness (item 6 of the agenda) (A/CN.4/50) (*continued*)

SECTION VI OF ANNEX III: STATELESSNESS; POINTS FOR DISCUSSION (*continued*)

9.* The CHAIRMAN invited the Commission to continue its consideration of Annex III to the special rapporteur's report on nationality, including statelessness (A/CN.4/50).

10. He suggested that, in the light of the decisions taken on points 2 and 3, the Commission might confine

* Paras. 1—8 were devoted to the programme of work of the Commission for the remainder of the session.

its attention to those general principles contained in the remaining 16 points which had a direct bearing on methods of reducing statelessness.

Point 8

11. Mr. SANDSTRÖM proposed that the Commission should give an answer to the question posed by the special rapporteur in point 8, namely:

> "Can any useful system of arbitration be devised, on analogy to the precedent established in Upper Silesia, for resolving conflicts between national laws which have resulted in statelessness?"

12. Mr. HUDSON thought there was very little possibility of devising such a system.

13. Mr. LAUTERPACHT suggested that the relevant information, which in effect amounted to half a page in Annex III to the special rapporteur's report, was too scanty to enable the Commission to form an opinion on the subject.

14. Mr. LIANG (Secretary to the Commission) said that he was not clear as to what Mr. Hudson had in mind. Did he envisage that specific disputes involving questions of nationality should be settled by an arbitral procedure such as that which the Commission had been discussing during the opening weeks of its present session?

15. Mr. SANDSTRÖM agreed with Mr. Hudson that the possibility of submitting to arbitration conflicts of national laws on nationality was slight. On the other hand, disputes as to the interpretation of a general convention on nationality might usefully be dealt with in that way.

16. Mr. el-KHOURI proposed that the question be answered in the negative.

17. Mr. LAUTERPACHT proposed that the Commission should not at the present stage give any answer at all, since it had no basis for forming a view one way or the other. Perhaps the special rapporteur might prepare extracts from Mr. Kaeckenbeeck's book, entitled "The International Experiment in Upper Silesia"[1] for the information of the Commission when it reverted to the subject at its next session.

18. Mr. ZOUREK pointed out that the system referred to in point 8 was a special one, in as much as it was linked with territorial changes governed by a special treaty. Under present conditions it would be idle to contemplate the possibility of submitting to arbitration conflicts of national laws on nationality. A negative answer must therefore be given to the question.

19. Mr. SPIROPOULOS thought that the question might be passed over altogether, since arbitration had very little relevance to the general issue, which was the elimination of statelessness.

20. Mr. CÓRDOVA considered that there was no need for the Commission to give answer to the question; indeed, it could hardly do so without more information.

21. Mr. el-KHOURI said that, in view of the foregoing arguments, he would withdraw his proposal and support that of Mr. Lauterpacht.

22. Mr. KOZHEVNIKOV said that conflicts of national laws in matters of nationality could not be resolved by arbitral procedures. He therefore considered that the reply to the question should be in the negative, a reply which would in no way detract from the general principle of arbitration.

23. Mr. SCELLE said there was no need even to pose the question, since quite clearly disputes arising out of conflicts between nationality laws could be solved by any of the methods, including arbitration, mentioned in Article 33 of the Charter of the United Nations.

24. Mr. ZOUREK observed that the special rapporteur had not asked whether particular cases could be submitted to arbitration, but whether an effective system of arbitration could be devised to solve conflicts between national laws which resulted in statelessness. No one would deny that a specific case could be settled by any method. On the other hand, the reply to the general question must be in the negative, at least so far as the present time was concerned.

25. Mr. LAUTERPACHT said that he was aware of the considerations which underlay the arguments put forward by Mr. Hudson in the last paragraph of section V of Annex III. It was conceivable, and it had indeed occurred in the past, that a State, in violation of its treaty obligations, might refuse to confer nationality. Such a matter could properly be submitted to arbitration.

26. Mr. CÓRDOVA said that he had been impressed by the strong arguments put forward by the special rapporteur in section V, 4, of Annex III, in favour of an international tribunal for the settlement of disputes on nationality and of individuals having direct access to it. He was therefore anxious that the special rapporteur be given further time to study the problem and to submit fresh material for the Commission's consideration.

27. Mr. HUDSON suggested that point 8 be deleted, and that no further discussion be held on it.

28. Mr. KERNO (Assistant Secretary-General) reminded the Commission that in the past it had not always been necessary to take a formal vote if the discussion provided guidance enough for the special rapporteur.

29. Mr. el-KHOURI remarked that there could be no objection to a special rapporteur's withdrawing part of his own report.

30. Mr. LIANG (Secretary to the Commission) said that if part of a report were withdrawn by its author, further discussion would be precluded, unless another

[1] London, Oxford University Press, 1942.

member of the Commission moved that it be considered notwithstanding.

31. Mr. ZOUREK failed to understand why there should be any objection to a vote being taken on the proposal relating to point 8. He personally had not been in favour of voting during the deliberations on statelessness, but since the Commission had decided to take tentative votes, it should abide by that decision.

32. Mr. SPIROPOULOS said that point 8 itself, which contained a question, could not be put to the vote. On the other hand, Mr. Zourek and Mr. Lauterpacht had each presented a definite proposal which ought to be put to the vote, and Mr. Zourek's first, since it was farthest removed from the text. He personally would support Mr. Lauterpacht's proposal.

33. Mr. KOZHEVNIKOV agreed with Mr. Zourek that the Commission should continue to follow the procedure applied so far in considering Annex III. Since the Commission had voted on the far more important issue of whether or not the special rapporteur be instructed to prepare a draft convention, or conventions, on statelessness, he failed to understand why the proposals under consideration should not also be voted upon.

34. Referring to the point mentioned by Mr. Córdova, he said that it was inadmissible that individuals should be allowed direct access to an international tribunal. In his view, States and States alone were the subjects of international law.

35. The CHAIRMAN put to the vote Mr. Zourek's proposal that the question in point 8 be answered in the negative.

Mr. Zourek's proposal was rejected by 5 votes to 2, with 4 abstentions.

36. The CHAIRMAN put to the vote Mr. Lauterpacht's proposal that for the time being, the Commission should give no answer to the question in point 8.

Mr. Lauterpacht's proposal was adopted by 6 votes to 2, with 4 abstentions.

Point 12 [2]

37. Mr. HUDSON suggested that the Commission now take up point 12.

38. Mr. YEPES considered that the Commission should take up each point in turn. Although he had full confidence in the special rapporteur, he failed to understand why any point should be omitted.

39. Mr. SPIROPOULOS agreed with Mr. Yepes because he believed that members should be given an opportunity to comment on any of the points made by the special rapporteur.

40. Mr. LAUTERPACHT pointed out that there was nothing more for the Commission to discuss under points 9 and 10, the first of which was a historical exposition and the second of which had implicitly been covered by the Commission's decision at the previous meeting. Point 11 could not conveniently be discussed until points 12 and 13 had been dealt with.

41. Mr. KOZHEVNIKOV endorsed the views expressed by Mr. Yepes.

42. The CHAIRMAN *ruled* that the Commission take up point 12, for the reasons adduced by Mr. Lauterpacht.

43. Mr. LAUTERPACHT observed that Mr. Hudson had offered a very far-reaching solution to the problem of statelessness in proposing that a State applying *jus soli* should confer nationality on children born abroad if one of the parents was a national of that State. Abandonment of the usual distinction between the father and mother in that respect would necessitate a modification of practically all existing legislation on the subject. For example, under the United Kingdom Law of 1948, the father's nationality determined that of the child, so that an illegitimate child born of an Englishwoman abroad would not automatically acquire British nationality. However, the fact that the change implied in Mr. Hudson's proposal necessitated changes in the law of many countries was not an argument against it.

44. The qualification mentioned in the last sentence of point 12 might nullify to some extent the proposed change and he wondered precisely what additional identification of the parent with the State Mr. Hudson had in mind. He was aware that, in the United States of America, if one parent was an alien certain residential qualifications had to be fulfilled for the child to acquire United States nationality. Other States required evidence of identification of the child with the State, such as a declaration on reaching majority.

45. Those points would have to be considered in detail before any definite directives were given to the special rapporteur as to how he was to develop the subject further. He (Mr. Lauterpacht) would himself state by way of a preliminary expression of view that he was in favour of the rule put forward by the special rapporteur without any qualification as to an additional identification of the parent or of the child with the State. He realized that such a rule would inevitably require far-reaching changes in domestic law, but that was no reason for rejecting it.

46. Mr. CÓRDOVA was unable to understand the meaning of the phrase "the nationality of the State" in point 12.

47. Mr. HUDSON replied that the State referred to was the one of which one of the parents possessed nationality.

48. Mr. CÓRDOVA suggested that the meaning would

[2] Point 12 read as follows:

"12. Supplementing existing law in *jus soli* countries, a child born abroad shall acquire the nationality of the State if one of the parents has such nationality, provided that it does not acquire at birth the nationality of another State. This may have to be qualified by some additional identification of the parent with the State."

be clarified if the words "of the State" were replaced by the words "of those States if one of the parents has such a nationality".

49. Mr. KERNO (Assistant Secretary-General) said that Mr. Córdova's doubts were clearly pertinent. The meaning of the English text was undoubtedly obscure, and had not been correctly conveyed in the French translation.

50. Mr. LAUTERPACHT asked whether he was right in thinking that the phrase referred to nationality of *jus soli* countries.

51. Mr. HUDSON replied in the affirmative. What he had in mind was that the principle of *jus soli* should be supplemented by a certain element of *jus sanguinis*. Thus a State must confer its nationality on a child born abroad if one of its parents possessed the nationality of that State, provided the child had not acquired the nationality of another State.

52. Mr. ZOUREK, giving an example of what he presumed Mr. Hudson had in mind, said that a child born in Czechoslovakia of a father from Uruguay, where *jus soli* applied, and a Czechoslovak mother would, under Mr. Hudson's rule, be entitled to acquire Uruguayan nationality were it not for the fact that under Czech law if one parent (either father or mother) were a Czechoslovak citizen a child born in that country acquired Czechoslovak nationality.

53. Mr. LIANG (Secretary to the Commission) suggested that there was a certain grammatical obscurity in the opening phrase of point 12, which would have to be cleared up.

54. Mr. el-KHOURI thought that the intention of the provision was clear, and that it served a useful purpose. To take a concrete example, *jus sanguinis* applied in Syria and *jus soli* in the United States of America. At present a child born to United States citizens in Syria acquired neither Syrian nor United States nationality. If the provision envisaged in point 12 were adopted, the United States of America would be obliged to confer United States nationality upon such child.

55. Mr. CÓRDOVA said that the provision left open the question as to what nationality should be conferred on a child born in a *jus sanguinis* country to parents who were nationals of *jus soli* countries but not of the same *jus soli* country. The wording would have to be expanded to state whether the nationality of the father or of the mother should be the determining factor in such cases.

56. Mr. el-KHOURI felt that it was unnecessary to settle that question in the convention.

57. Mr. KERNO (Assistant Secretary-General) pointed out that the provision in question would normally apply only to cases where both parents were nationals of a *jus soli* country, for if the father, or in most countries, the mother, was a national of a *jus sanguinis* country, the child would acquire at birth the nationality of that country. The provision would nevertheless fill a gap.

58. Mr. SANDSTRÖM thought that the meaning of the first sentence in point 12 was clear. He was more concerned with the meaning of the second sentence, and asked what the special rapporteur had in mind when he referred to "some additional identification of the parent with the State".

59. Mr. HUDSON replied that, under United States legislation for example, for a child to acquire United States nationality, the parent must have resided in the United States before the child was born.

60. Mr. YEPES said that, under Colombian law, a child born abroad to parents, one of whom possessed Colombian nationality, could not fully acquire such nationality until he had been domiciled for a certain time in Colombia. Nationality was a privilege, and it seemed only reasonable that no individual should finally acquire it until there was some real link between him and the country whose nationality he claimed. He therefore proposed that the words "or the child" be inserted after the words "of the parent" in the last sentence of point 12.

61. Mr. CÓRDOVA felt that, if the qualifications envisaged by the special rapporteur and by Mr. Yepes were admitted, the whole purpose of the provision would be defeated. It must be recognized that, unlike naturalization, which rested on the will of the State and of the individual, the acquisition of nationality at birth was largely a matter of chance.

62. Mr. HUDSON suggested that, as his drafting of the provision had been criticized, the first clause reading "Supplementing existing law in *jus soli* countries" should be deleted, that its purpose, which was explanatory, should be taken over into the commentary, and that the remainder of the first sentence should be re-worded as follows:

> "A State must confer its nationality on a child born outside its territory, if one of the parents of the child possesses that State's nationality, provided that such child does not acquire at birth the nationality of another State either *jure soli* or *jure sanguinis*."

63. Mr. FRANÇOIS pointed out that the proposed new wording still did not state whether the nationality of the father or of the mother was to prevail in cases where their nationality differed.

64. Mr. HUDSON said that the wording he had proposed was in keeping with the 1933 Montevideo Convention on the Nationality of Women. On the other hand, he recognized that it might be too far-reaching to be acceptable in more than a few countries; if subsequent research showed that to be the case, the words "one of the parents has" might be replaced by the words "both the parents have".

65. Mr. LAUTERPACHT pointed out that, if the wording proposed by Mr. Hudson was approved by the Commission, as he hoped it would be, the Commission would be approving a change as revolutionary as that which it had rejected at the preceding meeting. It was

a fundamental innovation that the nationality of the father should be no more important than that of the mother in determining the transformation of nationality by descent.

66. Mr. SANDSTRÖM recalled that the points which the Commission was considering had been intended as points for discussion only, not as the articles of a draft convention, which would obviously have to be more elaborate than the texts which the Commission was at present in process of approving.

67. The CHAIRMAN agreed with Mr. Sandström; the Commission was at present engaged in approving general principles to serve as directives to the special rapporteur.

68. Referring to Mr. Yepes' proposal that the words "or the child" be inserted after the words "some additional identification of the parent" in the last sentence, Mr. AMADO pointed out that the Commission's aim was to eliminate, or at least to reduce, statelessness. That being so, it must necessarily envisage the amendment of existing legislation, since it was existing legislation that was the cause of statelessness. Indeed, as Mr. Córdova had said, the second sentence, even without the additional words proposed by Mr. Yepes, might have the result of seriously weakening the principle stated in the first sentence.

69. Mr. LAUTERPACHT felt that Mr. Yepes' main concern was to provide against cases of dual nationality. It was true that the Commission was envisaging the reduction of statelessness at the expense of possible additions to the number of cases of dual nationality. Dual nationality, however, was a relatively minor evil compared with the evil of statelessness.

70. After further discussion of Mr. Yepes' proposal, the CHAIRMAN pointed out that, under a large number of codes, including that of Colombia, the child enjoyed the nationality of the parent for so long as it was a minor. What Mr. Yepes wished to guard against was the possibility that a child born outside Colombia might finally acquire Colombian nationality at the age of 21 without ever having resided in Colombia. What the Commission was considering at present was the acquisition of nationality at birth, and there was therefore no conflict between the provision proposed by Mr. Hudson and the principles of Colombian law.

71. Mr. YEPES withdrew his proposal in view of what had been said, and in view of the fact that the question was covered by point 15.

72. Mr. LAUTERPACHT agreed with Mr. Amado and Mr. Córdova that, unless its scope were clarified, the second sentence could open the door to serious departures from the principle stated in the first sentence. If a proposal to delete the second sentence were made, he would support it.

73. Mr. HUDSON said that it would be impossible to define at the present time what additional identification of the parent with the State might be required. Inclusion of some such provision would, however, greatly facilitate acceptance of the principle by many States.

74. Mr. AMADO proposed that the second sentence be deleted, for the reasons he had already given.

75. Mr. CÓRDOVA supported that proposal, but, with regard to what had been said by Mr. Lauterpacht on the question of dual nationality, urged the special rapporteur to bear in mind in general the desirability of not replacing statelessness, which was a wrong to the individual, by dual nationality, which was a cause of conflicts between States.

The proposal that the second sentence of point 12 be deleted was carried by 9 votes to 2 with 2 abstentions.

The first sentence of point 12, in the form suggested by Mr. Hudson (see paragraph 62 above), was approved by 9 votes to 1 with 1 abstention.

Point 13[3]

76. Mr. LAUTERPACHT asked whether the special rapporteur considered that point 13 was necessary, in view of the form in which point 12 had just been approved.

77. Mr. LIANG (Secretary to the Commission) said that, as he understood it, the special rapporteur's intention in point 13 had been to envisage a recommendation to *jus sanguinis* countries to apply that principle fully, without the exceptions which were at present made to it. Those exceptions would be excluded if the principle stated in the first sentence of point 13 were adopted. The effect of the second sentence, however, would be to re-introduce the possibility of such exceptions. In those circumstances, and if his understanding of the special rapporteur's intention was correct, he agreed with Mr. Lauterpacht that point 13 added nothing to what was stated in point 12, as approved, except that it covered children wherever they were born, whereas the wording used in the approved text of point 12 read: "...a child born outside its territory...".

78. Mr. HUDSON observed that points 12 and 13 were designed only to reduce cases of statelessness arising in the future, not to eliminate existing statelessness. In neither case did the second sentence defeat that more modest aim.

79. Replying to a question by Mr. ZOUREK, Mr. HUDSON pointed out that the first sentence of point 13 merely imposed a minimum obligation on *jus sanguinis* States. It was not his intention to prevent such States conferring their nationality on children who had already acquired the nationality of another State.

[3] Point 13 read as follows:

"13. Supplementing existing law in *jus sanguinis* countries, a child, wherever born, of a national shall acquire the nationality of the State, provided that it does not acquire at birth the nationality of another State. This may have to be qualified by some additional identification of the parent with the State."

80. Mr. CÓRDOVA said that, if point 13 were retained in addition to the text approved for point 12, cases of dual nationality would necessarily result.

81. Mr. KERNO (Assistant Secretary-General) said that in any event article 13 was now unnecessary, as the Secretary to the Commission had shown.

82. Mr. LAUTERPACHT proposed that point 13 be deleted.

Mr. Lauterpacht's proposal was carried by 10 votes to 2.

83. Mr. HUDSON suggested that in that case the words "born outside its territory" ought to be deleted from the text approved for point 12.

It was so agreed.

The meeting rose at 1.05 p.m.

162nd MEETING

Friday, 11 July 1952, at 9.45 a.m.

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Chairman: Mr. Ricardo J. ALFARO.

Rapporteur: Mr. Jean SPIROPOULOS

Present:

Members: Mr. Gilberto AMADO, Mr. Roberto CÓRDOVA, Mr. J. P. A. FRANÇOIS, Mr. Shuhsi HSU, Mr. Manley O. HUDSON, Faris Bey el-KHOURI, Mr. F. I. KOZHEVNIKOV, Mr. H. LAUTERPACHT, Mr. A. E. F. SANDSTRÖM, Mr. J. M. YEPES, Mr. J. ZOUREK.

Secretariat: Mr. Ivan S. KERNO (Assistant Secretary-General in charge of the Legal Department), Mr. Yuen-li LIANG (Director of the Division for the Development and Codification of International Law, and Secretary to the Commission).

Nationality, including statelessness (item 6 of the agenda) (A/CN.4/50) (*continued*)

SECTION VI OF ANNEX III: STATELESSNESS; POINTS FOR DISCUSSION (*continued*)

Point 14

(a) *paragraph 1*

1. The CHAIRMAN invited comment on the first paragraph of point 14, which read:

"A child born of unknown parents, of stateless parents, or of parents whose nationality is undetermined, shall acquire the nationality of the State in whose territory it is born."

2. Mr. KERNO (Assistant Secretary-General) said that he wished first to point out that, since points 4 to 19 dealt with the reduction of statelessness and point 2 with its elimination, it was unavoidable that there should be some overlapping, as was the case with point 14.

3. Mr. LAUTERPACHT suggested that it was premature to state that the Commission was at present considering merely the reduction of statelessness. The view could be held that the Commission was attempting to eliminate it, though not by the direct method envisaged in point 2. The effect of the rule which the Commission had approved at the previous meeting concerning the acquisition of nationality at birth would in fact be to eliminate cases of statelessness due to the conflict of nationality laws in that respect.

4. Mr. el-KHOURI recalled that the question which formed the subject of the first paragraph of point 14 had already been discussed at length. It was therefore unnecessary for him to repeat the grounds on which he opposed the principle that a child born of stateless parents should acquire the nationality of the State in whose territory it was born.

5. Mr. SPIROPOULOS and Mr. FRANÇOIS pointed out that, instead of "attenuating" the principle stated in rule (i) in point 2, to which various members of the Commission had raised grave objections, point 14 merely repeated it.

6. Mr. LAUTERPACHT did not attach great importance to the first paragraph of point 14, since it would apply to relatively few cases compared with the number to which the approved text of point 12 would apply.

7. Mr. HUDSON suggested that the Chairman ascertain the sense of the meeting with regard to the application of the rule stated in the first paragraph of point 14, first to children born of unknown parents, secondly to children born of stateless parents, and thirdly to children born of parents whose nationality was indeterminate.

8. Mr. AMADO supported the first paragraph as a whole.

9. Mr. YEPES also supported the first paragraph as a whole, since the principle of *jus soli*, on which it was based, provided the sole means of eliminating statelessness.

By 11 votes to none, with 2 abstentions, the rule stated in the first paragraph of point 14 was approved as applicable to children born of unknown parents.

By 7 votes to 5, with 1 abstention, the rule stated in the first paragraph of point 14 was approved as applicable to children born of stateless parents.

10. Mr. SPIROPOULOS explained that he had voted against making the rule applicable to the children of