

No. 5195

**ITALY
and
CHILE**

**Convention concerning military service. Signed at Rome,
on 4 June 1956**

Official texts: Italian and Spanish.

Registered by Italy on 28 June 1960.

**ITALIE
et
CHILI**

**Convention relative au service militaire. Signée à Rome,
le 4 juin 1956**

Textes officiels italien et espagnol.

Enregistrée par l'Italie le 28 juin 1960.

[TRANSLATION — TRADUCTION]

No. 5195. CONVENTION¹ BETWEEN THE GOVERNMENT
OF THE ITALIAN REPUBLIC AND THE GOVERNMENT
OF THE REPUBLIC OF CHILE CONCERNING MILITARY
SERVICE. SIGNED AT ROME, ON 4 JUNE 1956

The Government of the Italian Republic and the Government of the Republic of Chile,

Desirous of resolving the difficulties which those of their citizens who also possess the citizenship of the other country encounter in fulfilling their military obligations,

Have decided to conclude a convention regarding military service, in the following terms :

Article I

Persons who possess both Italian and Chilean citizenship shall be deemed to have fulfilled their military obligations under the laws of both countries, if they have fulfilled such obligations in the armed forces of Italy or of Chile and furnish, as proof to that effect, a certificate issued by the competent Italian or Chilean authorities.

Article II

Citizens of both countries who are exempted from military service on physical grounds in accordance with the laws governing compulsory military service in one of the two countries shall, for the purposes of the present Convention, be deemed to have fulfilled their military obligations if they furnish, as proof of exemption, a certificate issued by the competent authorities of the country concerned.

Other exemptions from military service can be accepted only in so far as corresponding provisions are in force in both countries.

Article III

Citizens of both countries who voluntarily enlist in the armed forces of one or the other country shall be considered as having fulfilled their military obligations provided that the time served is no shorter than the statutory period of military service required under the laws in force in the country concerned at the time of their enrolment.

¹ Came into force on 28 October 1959, the date of the exchange of the instruments of ratification at Santiago, in accordance with article XI.

Article IV

Citizens of both countries who have obtained a deferment or postponement of call-up by the competent authorities of one of the two countries shall not be called up for service in the armed forces of the other country until the period of deferment or postponement has expired. A certificate issued by the competent authorities of the country which has granted the deferment or postponement shall be accepted as proof of such deferment or postponement.

Article V

Applications submitted by citizens of both countries in virtue of the present Convention shall include the following personal data : full name, date and place of birth, name of parents, civil status, number and date of identity document (if held) and name of the office which issued it, profession or occupation, and residence.

Such applications shall be dealt with in accordance with the present Convention without the necessity for any formalities or requirements not expressly prescribed by this Convention.

Article VI

Certificates granted, in virtue of the present Convention, by the competent authorities of each Contracting Party to the persons concerned shall specify the period and nature of the military obligations fulfilled and shall be granted to the persons concerned in accordance with the procedure prescribed in the preceding articles.

Article VII

Nothing in the present Convention shall in the event of an emergency prevent the competent authorities from calling up for service the persons referred to in this Convention or from placing them on the reserve list.

Article VIII

The provisions of the present Convention shall in no way affect the legal position of the persons concerned in the matter of nationality.

Article IX

Any dispute concerning the application or interpretation of the present Convention shall be settled through the diplomatic channel or by such other means as the Contracting Parties may agree.

Article X

The present Convention shall apply to the citizens of the Contracting Parties who at any time have served or may serve in the armed forces of the other country.

Article XI

The present Convention shall be ratified by the Contracting Parties in accordance with their constitutional procedure and shall enter into force upon the exchange of their ratifications, which shall be effected as soon as possible.

This Convention shall remain in force for six months after one of the Contracting Parties has informed the other of its intention to terminate it.

DONE in duplicate at Rome on 4 June 1956, in the Italian and Spanish languages, both texts being equally authentic.

For the Government
of the Italian Republic :

A. ROSSI LONGHI

For the Government
of the Republic of Chile :

VERGARA