

No. 5708

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**CZECHOSLOVAKIA  
and  
HUNGARY**

**Convention concerning the settlement of certain questions  
of citizenship. Signed at Prague, on 4 November 1960**

*Official texts: Czech and Hungarian.*

*Registered by Czechoslovakia on 6 June 1961.*

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**TCHÉCOSLOVAQUIE  
et  
HONGRIE**

**Convention concernant le règlement de certaines questions  
de nationalité. Signée à Prague, le 4 novembre 1960**

*Textes officiels tchèque et hongrois.*

*Enregistrée par la Tchécoslovaquie le 6 juin 1961.*

[TRANSLATION — TRADUCTION]

No. 5708. CONVENTION<sup>1</sup> BETWEEN THE CZECHOSLOVAK SOCIALIST REPUBLIC AND THE HUNGARIAN PEOPLE'S REPUBLIC CONCERNING THE SETTLEMENT OF CERTAIN QUESTIONS OF CITIZENSHIP. SIGNED AT PRAGUE, ON 4 NOVEMBER 1960

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The President of the Czechoslovak Socialist Republic and the Presidential Council of the Hungarian People's Republic,

Considering that there are a number of persons whom both Contracting Parties, in accordance with their legislation, regard as their citizens,

Desiring to eliminate any cases of dual citizenship on the basis of free option, by the persons concerned, for the citizenship of one of the two Contracting Parties,

Have decided to conclude this Convention and have appointed as their plenipotentiaries :

The President of the Czechoslovak Socialist Republic :

Václav David, Minister for Foreign Affairs of the Czechoslovak Socialist Republic,

The Presidential Council of the Hungarian People's Republic :

József Marjai, Ambassador Extraordinary and Plenipotentiary of the Hungarian People's Republic in the Czechoslovak Socialist Republic,

who, having exchanged their full powers, found in good and due form, have agreed as follows :

*Article 1*

Persons whom both Contracting Parties, under their laws, regard as their citizens may, in accordance with this Convention, decide which citizenship they intend to retain.

*Article 2*

(1) Persons to whom this Convention applies, who are resident in the territory of one Contracting Party and who wish to opt for the citizenship of the other Contracting Party shall file in writing a declaration to that effect with the mission of the latter Contracting Party.

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<sup>1</sup> Came into force on 19 March 1961, the thirtieth day after the exchange of the instruments of ratification which took place at Budapest on 17 February 1961, in accordance with article 10.

(2) Persons to whom this Convention applies and who are resident in the territory of a third State shall file a declaration of option for citizenship with the mission of the State for whose citizenship they wish to opt.

(3) The time-limit for filing declarations of option for citizenship shall be one year from the date of entry into force of this Convention.

#### *Article 3*

(1) The declarations mentioned in article 2 may be filed only by persons of full age.

(2) For the purposes of this Convention, “ persons of full age ” means persons who have attained the age of eighteen years or persons under that age who are married.

#### *Article 4*

(1) Children under full age shall follow the citizenship of their parents where both parents, in accordance with this Convention, have the same citizenship or where only one parent is living.

(2) Where one parent has or opts for the citizenship of one Contracting Party and the other has or opts for the citizenship of the other Contracting Party, the citizenship of their children under full age who have dual citizenship shall be determined by an agreement between the parents, which shall take the form of a joint declaration made by the parents within the time-limit specified in article 2. In the absence of such an agreement, the children shall retain the citizenship of the Contracting Party in whose territory they are permanently resident on the date of expiry of the said time-limit.

(3) Children under full age who have dual citizenship and one of whose parents is resident in the territory of one Contracting Party and the other in the territory of the other Contracting Party or of a third State shall retain the citizenship of the parent in whose custody they are, unless the parents have agreed otherwise.

(4) Children under full age who have dual citizenship and are resident in the territory of a third State shall, in the absence of an agreement between the parents concerning their citizenship, retain the citizenship of the Contracting Party in whose territory they were permanently resident before their departure abroad. In the case of a child born in the territory of a third State, the decisive factor shall be the permanent residence of the parents before their departure abroad.

(5) Children under full age whose parents are dead or the whereabouts of whose parents are unknown shall retain the citizenship of the Contracting Party in whose territory they are resident on the date of expiry of the time-limit specified in article 2.

*Article 5*

The Contracting Parties shall, not later than six months after the expiry of the time-limit specified in article 2, exchange lists of the persons who have opted for their citizenship under this Convention.

*Article 6*

(1) Persons to whom this Convention applies shall be regarded as citizens solely of that Contracting Party for whose citizenship they have opted.

(2) Where the Contracting Party with which the declaration of option for citizenship was filed determines that, under its laws, the declarant does not possess its citizenship, the declarant shall be regarded as having filed no declaration.

(3) Persons having dual citizenship who fail to file a declaration of option for citizenship within the time-limit specified in article 2 shall be regarded as citizens solely of the Contracting Party in whose territory they are resident.

(4) Persons having dual citizenship and resident in the territory of a third State who fail to file a declaration of option for citizenship under article 2 shall be regarded as citizens of the Contracting Party in whose territory they were permanently resident before their departure abroad.

*Article 7*

Persons who continue to reside in the territory of one Contracting Party after opting under this Convention for the citizenship of the other Contracting Party shall have the status of aliens.

*Article 8*

(1) In cases where children acquire dual citizenship after the expiry of the time-limit specified in article 2, a choice of the citizenship of one Contracting Party shall be made by an agreement between the parents and shall be reported to the competent registrar (in the territory of a third State, to the mission) in a joint declaration to be made by the parents within one year after the birth of the child.

(2) In the absence of such an agreement, the child shall be a citizen of the Contracting Party in whose territory he is permanently resident on the date of birth. A child born in the territory of a third State shall have the citizenship of the Contracting Party in whose territory his parents were permanently resident before their departure abroad.

(3) Each Contracting Party shall draw up an annual list of children who become citizens of the other Contracting Party under paragraphs (1) and (2). The lists for the past year shall be exchanged before the end of the first quarter of the ensuing year in each case.

*Article 9*

Declarations of option for citizenship under this Convention shall not be subject to any taxes.

*Article 10*

(1) The Contracting Parties have agreed that this Convention shall, after its entry into force, be published in the daily press for the information of the persons concerned.

(2) This Convention shall be ratified. It shall enter into force on the thirtieth day after the exchange of the instruments of ratification. The exchange of the instruments of ratification shall take place at Budapest.

This Convention is done in two copies, each in the Czech and Hungarian languages. Both texts are equally authentic.

IN WITNESS WHEREOF the plenipotentiaries have signed the Convention and have thereto affixed their seals.

DONE at Prague, on 4 November 1960.

For the Czechoslovak Socialist  
Republic :  
V. DAVID

For the Hungarian People's  
Republic :  
MARJAI József