

**No. 6468**

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**NETHERLANDS  
and  
ITALY**

**Convention concerning the military service of persons with  
dual nationality. Signed at Rome, on 24 January 1961**

*Official text: French.*

*Registered by the Netherlands on 4 January 1963.*

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**PAYS-BAS  
et  
ITALIE**

**Convention concernant le service militaire des bipatrides.  
Signée à Rome, le 24 janvier 1961**

*Texte officiel français.*

*Enregistrée par les Pays-Bas le 4 janvier 1963.*

[TRANSLATION — TRADUCTION]

No. 6468. CONVENTION<sup>1</sup> BETWEEN THE KINGDOM OF THE NETHERLANDS AND THE ITALIAN REPUBLIC CONCERNING THE MILITARY SERVICE OF PERSONS WITH DUAL NATIONALITY. SIGNED AT ROME, ON 24 JANUARY 1961

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The Government of the Kingdom of the Netherlands and the Government of the Italian Republic,

Desiring to regulate by joint agreement the military obligations of those of their respective nationals who also possess the nationality of the other State,

The undersigned, having exchanged their full powers, found in good and due form,

Have agreed on the following provisions :

*Article 1*

The provisions of this Convention shall apply to the nationals of either of the two States who possess simultaneously both Netherlands and Italian nationality in virtue of the laws in force in each of the two States.

*Article 2*

Nationals of either of the two States to whom this Convention applies shall fulfil their military obligations in that one of the two States in which they are habitually resident.

Nevertheless, they shall be free to state, on presenting themselves for registration for military service, or not later than the date on which their age group is called to the colours, that they undertake to fulfil their military obligations in the armed forces of the other State. They shall sign a declaration to that effect in duplicate, one copy to be retained by the authority before which the said declaration was made and the other copy to be sent to the competent authorities of the other State for such action as may be required.

*Article 3*

Nationals of either of the two States to whom this Convention applies and who have fulfilled their military obligations in either of the two States shall be

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<sup>1</sup> Came into force on 18 October 1962, the date of the exchange of the instruments of ratification at Rome, in accordance with article 13, paragraph 1.

deemed to have fulfilled the military obligations in the other State if they produce an authenticated certificate in proof thereof issued at their request by the competent authorities of either Contracting Party.

#### *Article 4*

Nationals who, in conformity with article 2 of this Convention, state that they undertake to fulfil their military obligations in the armed forces of the State in which they are not habitually resident shall not be entitled to invoke article 3 unless they produce, before the age of twenty-two years, an authenticated certificate issued at their request by the competent authorities of the said State to prove that they have begun their statutory active military service.

If the commencement of such service is delayed in consequence of a deferment granted by the competent authorities of either Contracting Party, such deferment shall be recognized by both Parties.

#### *Article 5*

Such nationals of either of the two States to whom this Convention applies as have enlisted and been duly accepted as volunteers in the armed forces of one of these States for a period not less than the period of statutory active military service in force in that State at the time of their enlistment shall also be deemed to have fulfilled their military obligations.

#### *Article 6*

Such nationals of either of the two States to whom this Convention applies as are not liable to military service under the laws in force in the State in which they are habitually resident shall be deemed to have fulfilled their military obligations in the other State if they can produce an authenticated certificate in proof thereof issued at their request by the competent authorities of the State in which they are habitually resident.

#### *Article 7*

The provisions of this Convention shall not preclude the competent authorities of either of the two States, in the event of mobilization, from calling the persons to whom this Convention applies to the colours, and if necessary registering their names on the reserve list, in the State in which they are habitually resident.

#### *Article 8*

The competent authorities of the Defence Ministries of the Contracting Parties may communicate with each other directly with a view to establishing the arrangements for putting this Convention into effect.

*Article 9*

The competent authorities of the two States shall, without charge, provide the nationals to whom this Convention applies with the certificates relating to their military obligations.

Exemption from military obligations on the basis of this Convention shall not entail any expense for the persons concerned.

*Article 10*

The application of the provisions of this Convention shall in no way affect the nationality status of the persons concerned.

*Article 11*

Such nationals of the two States to whom this Convention applies as have fulfilled their military obligations in one of the two States before the date on which this Convention comes into force shall benefit from the provisions of the Convention.

*Article 12*

Any difficulties which may arise out of the application of this Convention shall be settled between the Contracting Parties through the diplomatic channel.

*Article 13*

This Convention shall be ratified; it shall come into force on the date of exchange of the instruments of ratification, which shall take place at Rome as soon as possible.

It is concluded for an indefinite period and may be denounced by either Party at any time subject to one year's notice.

IN WITNESS WHEREOF the plenipotentiaries of the Contracting Parties have signed the present Convention and have thereto affixed their seals.

DONE at Rome, in duplicate, in the French language, on 24 January 1961.

For the Government  
of the Kingdom of the Netherlands :

(Signed) W. VAN BYLANDT

For the Government  
of the Italian Republic :

(Signed) Ferdinando STORCHI