

No. 8378

**HUNGARY
and
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement for the avoidance of cases of dual citizenship.
Signed at Moscow, on 21 January 1963**

Official texts: Hungarian and Russian.

Registered by Hungary on 9 November 1966.

**HONGRIE
et
UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES**

**Convention tendant à éviter les cas de double nationalité.
Signée à Moscou, le 21 janvier 1963**

Textes officiels hongrois et russe.

Enregistrée par la Hongrie le 9 novembre 1966.

[TRANSLATION — TRADUCTION]

No. 8378. CONVENTION¹ BETWEEN THE GOVERNMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST REPUBLICS FOR THE AVOIDANCE OF CASES OF DUAL CITIZENSHIP. SIGNED AT MOSCOW, ON 21 JANUARY 1963

The Government of the Hungarian People's Republic and the Government of the Union of Soviet Socialist Republics,

Desiring to avoid cases of dual citizenship,

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

The Government of the Hungarian People's Republic :

Géza Révész, Ambassador Extraordinary and Plenipotentiary of the Hungarian People's Republic to the Union of Soviet Socialist Republics;

The Government of the Union of Soviet Socialist Republics :

N. P. Firyubin, Deputy Minister for Foreign Affairs of the Union of Soviet Socialist Republics,

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

Article 1

This Convention shall apply to :

(1) Children one of whose parents is a citizen of one Contracting Party and the other a citizen of the other Contracting Party;

(2) Persons who are citizens of one Contracting Party and wish to acquire the citizenship of the other Contracting Party.

Article 2

(1) The parents of the children referred to in article 1, sub-paragraph (1), of this Convention may agree to opt for the citizenship of one of the Contracting Parties on the child's behalf.

(2) Where the parents opt on the child's behalf for the citizenship of the Contracting Party in whose territory they are resident, they may file a declaration

¹ Came into force on 19 August 1963, the thirtieth day after the exchange of the instruments of ratification which took place at Budapest, in accordance with article 12.

in writing to that effect with the competent authority of that Contracting Party within one year after the child's birth.

(3) Where the option made by the parents on the child's behalf is not for the citizenship of the Contracting Party in whose territory they are resident, they shall file a declaration in writing to that effect with the diplomatic or consular mission of the other Contracting Party within one year after the child's birth.

Article 3

Parents may also agree on a choice of citizenship on behalf of children born between 15 January 1959 (the date of the expiry of the time-limit specified for the filing of declarations of option in article 2 of the Convention between the Hungarian People's Republic and the Union of Soviet Socialist Republics regulating the citizenship of persons having dual citizenship, signed on 24 August 1957¹) and the date of the entry into force of this Convention. The parents may file a declaration of option in writing within one year after the entry into force of this Convention with the competent authorities referred to in articles 2 and 7 of this Convention.

Article 4

If the parents fail to file the declaration referred to in articles 2 and 3 of this Convention, the children shall be regarded as citizens solely of the Contracting Party in whose territory they are resident on the date of the expiry of the time-limit specified in those articles for the filing of a declaration.

Article 5

(1) Where one of the child's parents is dead or one parent's whereabouts is unknown on the date of the expiry of the time-limit specified in articles 2 and 3 of this Convention for the filing of a declaration, the child shall retain solely the citizenship of the other parent.

(2) A child whose parents reside separately shall, in the absence of an agreement between the parents, retain the citizenship of the parent in whose custody he is on the date of the expiry of the time-limit specified in articles 2 and 3 of this Convention for the filing of a declaration.

Article 6

A child whose parents are dead or the whereabouts of whose parents is unknown shall be regarded as a citizen solely of the Contracting Party in whose territory he is resident on the date of the expiry of the time-limit specified in articles 2 and 3 of this Convention for the filing of a declaration.

¹ United Nations, *Treaty Series*, Vol. 318, p. 35.

Article 7

(1) Parents resident in the territory of a third State may, within the time-limit specified in articles 2 and 3 of this Convention, file a declaration of option on behalf of their child with the diplomatic or consular mission of the Contracting Party for whose citizenship they have opted.

(2) In the absence of agreement between the parents, the child shall be regarded as a citizen of the Contracting Party in whose territory the parents maintained a permanent residence before their departure to the third State. If the parents did not maintain such a residence, the child shall retain solely the citizenship of his mother.

Article 8

Declarations filed in accordance with articles 2, 3 and 7 of this Convention shall not be subject to any charges.

Article 9

The Contracting Parties shall exchange, during the first quarter of each year, lists of the children in respect of whose citizenship declarations were filed by their parents during the preceding year in accordance with this Convention.

The dates on which the parents filed the declarations must be indicated in the lists.

Article 10

Neither Contracting Party shall, without the consent of the competent authorities of the other Contracting Party, admit to citizenship persons having the citizenship of the latter party.

Article 11

Any questions arising between the Contracting Parties in the interpretation and application of this Convention shall be settled through the diplomatic channel.

Article 12

This Convention shall be subject to ratification. The exchange of the instruments of ratification shall take place at Budapest as soon as possible.

The Convention shall enter into force on the expiry of thirty days after the date of the exchange of the instruments of ratification and shall remain in force a term of five years. It shall be extended for further terms of five years unless it

is denounced by one of the Contracting Parties not less than six months before the expiry of the current term.

Article 13

After the exchange of the instruments of ratification, the Contracting Parties shall publish the text of this Convention in the Press for the information of the persons concerned.

This Convention has been drawn up in duplicate in the Hungarian and Russian languages, both texts being equally authentic.

DONE in Moscow, on 21 January 1963.

For the Government
of the Hungarian People's Republic :

RÉVÉSZ Géza

For the Government
of the Union of Soviet Socialist
Republics :

N. FIRYUBIN