

No. 13271

MULTILATERAL

Convention concerning the issuance free of charge of copies of civil registration documents and the waiver of authentication requirements relating thereto (with annex). Concluded at Luxembourg on 26 September 1957

Authentic text: French.

Registered by Switzerland on 3 May 1974.

MULTILATÉRAL

Convention relative à la délivrance gratuite et à la dispense de légalisation des expéditions d'actes de l'état civil (avec annexe). Conclue à Luxembourg le 26 septembre 1957

Texte authentique: français.

Enregistrée par la Suisse le 3 mai 1974.

[TRANSLATION — TRADUCTION]

CONVENTION¹ CONCERNING THE ISSUANCE FREE OF CHARGE OF COPIES OF CIVIL REGISTRATION DOCUMENTS AND THE WAIVER OF AUTHENTICATION REQUIREMENTS RELATING THERETO

The Governments of the Federal Republic of Germany, the Kingdom of Belgium, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Swiss Confederation and the Republic of Turkey, members of the International Commission on Civil Status, desiring to regulate by mutual agreement certain questions relating to the issuance of copies of civil registration documents and the waiver of authentication requirements relating thereto, have agreed on the following provisions:

Article 1. Without prejudice to the implementation of existing bilateral conventions or conventions which may subsequently be concluded between two States Parties to the present Convention, each contracting State undertakes to issue to the other contracting States, free of charge, faithful copies of or extracts from civil registration documents drawn up in its territory and relating to nationals of the requesting Government in cases where such documents are requested for administrative purposes or on behalf of indigent persons.

Article 2. The request shall be submitted by the diplomatic mission or by the consuls to the competent authority designated by each contracting State in the annex to

¹ Came into force on 3 January 1960 for the following States, i.e. the thirtieth day that followed the date of deposit of the second instrument of ratification with the Government of Switzerland, in accordance with article 7:

<i>State</i>	<i>Date of deposit of instrument of ratification</i>
France	22 January 1959
Netherlands (For the Kingdom in Europe, Surinam, the Netherlands Antilles and Netherlands New Guinea.)	4 December 1959

Thereafter, the instruments of ratification or accession by the following States were deposited with the Government of Switzerland on the dates indicated, with effect from the thirtieth day after these dates, in accordance with articles 7 and 9:

<i>State</i>	<i>Date of deposit of instrument of ratification or accession (a)</i>
Austria* (With effect from 1 October 1965.)	1 September 1965a
Belgium* (With effect from 12 June 1966.)	13 May 1966
Germany, Federal Republic of (With effect from 24 December 1961. With a declaration to the effect that the Convention also applies to <i>Land Berlin</i> .)	24 November 1961
Italy (With effect from 7 December 1968.)	7 November 1968a
Luxembourg (With effect from 13 July 1960.)	13 June 1960
Switzerland (With effect from 1 December 1960.)	1 November 1960
Turkey (With effect from 14 March 1963.)	12 February 1963

* See p. 40 of this volume for the texts of the declarations made upon ratification or accession.

the present Convention; the reason for the request shall be briefly specified therein: "administrative purposes" or "indigence of the applicant".

Article 3. Issuance of a copy of or an extract from a civil registration document shall be without prejudice to the nationality of the person concerned.

Article 4. Faithful copies of or extracts from civil registration documents bearing the signature and seal of the issuing authority shall not require authentication in the respective territories of the contracting States.

Article 5. For the purpose of articles 1, 3 and 4, the term "civil registration documents" shall be understood to cover:

- Birth certificates,
- Declarations of stillbirths,
- Certificates of affiliation for children born out of wedlock, drawn up or transcribed by civil registry officials,
- Marriage certificates,
- Death certificates,
- Divorce certificates or copies of judicial decisions or decrees relating to divorce,
- Copies of judicial orders, decisions or decrees relating to civil status.

Article 6. The present Convention shall be ratified and the instruments of ratification shall be deposited with the Swiss Federal Council.

A record shall be kept of every instrument of ratification deposited, and a certified true copy of the record shall be transmitted through the diplomatic channel to each signatory State.

Article 7. The present Convention shall enter into force on the thirtieth day following the date of deposit of the second instrument of ratification mentioned in the preceding article.

For each signatory State subsequently ratifying the Convention, the latter shall enter into force on the thirtieth day following the date of deposit of its instrument of ratification.

Article 8. The present Convention shall automatically apply throughout the metropolitan territory of each contracting State.

Any State may, at the time of signature, ratification or accession, or at any time subsequently, declare by notification addressed to the Swiss Federal Council that the provisions of the present Convention will be applicable to one or more of its extra-metropolitan territories, States or territories for whose international relations it is responsible. The Swiss Federal Council shall send a certified true copy of the said notification through the diplomatic channel to each contracting State. The provisions of the present Convention shall become applicable in the territory or territories mentioned in the notification on the sixtieth day following the date on which the Swiss Federal Council received the said notification.

Any State which has made a declaration in accordance with the provisions of the second paragraph of this article may subsequently at any time declare, by notification addressed to the Swiss Federal Council, that the present Convention will cease to be applicable to one or more of the States or territories mentioned in the declaration.

The Swiss Federal Council shall send a certified true copy of the new notification through the diplomatic channel to each contracting State.

The Convention shall cease to be applicable to the territory concerned on the

sixtieth day following the dates on which the Swiss Federal Council received the said notification.

Article 9. Any State may accede to the present Convention. The State wishing to do so shall indicate its intention in an instrument which shall be deposited with the Swiss Federal Council. The latter shall transmit a certified true copy of the instrument through the diplomatic channel to each contracting State. The Convention shall enter into force, for the acceding State, on the thirtieth day following the date of deposit of the instrument of accession.

Instruments of accession may not be deposited until the present Convention has entered into force in accordance with the first paragraph of article 7.

Article 10. This Convention may be subject to revision with a view to the introduction of changes to improve the text.

Proposals for revision shall be submitted to the Swiss Federal Council, which shall transmit them to the contracting States and to the Secretary-General of the International Commission on Civil Status.

Article 11. The present Convention shall be valid for 10 years from the date indicated in the first paragraph of article 7.

The Convention shall be tacitly renewed for periods of 10 years provided it is not denounced.

Notification of denunciation must be submitted, at least six months before the expiry of the Convention, to the Swiss Federal Council, which shall inform all the other contracting States.

The denunciation shall have effect only with regard to the State which submitted it. The Convention shall remain in force for the other contracting States.

IN WITNESS WHEREOF the undersigned representatives, being duly authorized thereto, have signed the present Convention.

DONE at Luxembourg on 26 September 1957, in a single copy which shall be deposited in the archives of the Swiss Federal Council and a certified true copy of which shall be transmitted through the diplomatic channel to each contracting State.

For the Government of the Federal Republic of Germany:

[KARL Graf VON SPRETI]

[HANS G. FICKER]

For the Government of the Kingdom of Belgium:

[R. TAYMANS]

For the Government of the French Republic:

[GUY DELTEL]

For the Government of the Grand Duchy of Luxembourg:

[HENRI DELVAUX]

For the Government of the Kingdom of the Netherlands:

In view of the equality which exists from the point of view of public law between the Netherlands, Surinam and the Netherlands Antilles, the terms "metropolitan" and "extra-metropolitan" mentioned in the Convention lose their original meaning as regards the Kingdom of the Netherlands and will therefore, as regards that Kingdom, be considered as meaning, respectively, "European" and "non-European".

[A. H. PHILIPSE]

For the Government of the Swiss Confederation:

[ERNST GÖTZ]

For the Government of the Republic of Turkey:

[NECDET KENT]

ANNEX

Subject to the implementation of specific conventions designating another authority, the competent authority referred to in article 2 of this Convention shall be:¹

- For the Federal Republic of Germany, the civil registry official who is the custodian of the document.
- For the Kingdom of Belgium, the Ministry of Foreign Affairs.
- For the French Republic, the civil registry official who is the custodian of the document.
- For the Grand Duchy of Luxembourg, the civil registry official who is the custodian of the document.
- For the Kingdom of the Netherlands, the civil registry official who is the custodian of the document.
- For the Swiss Confederation, the Federal Civil Status Service at Berne.
- For the Republic of Turkey, the civil registry official who is the custodian of the document.

¹ See also the designation of authority done by Austria in a declaration upon accession on p. 40 of this volume.

DECLARATIONS MADE
UPON RATIFICATION
OR ACCESSION (a)

AUSTRIA (a)

Austria designated the Federal Ministry of the Interior as the competent authority for the purpose of article 2 of the Convention.

BELGIUM

[TRANSLATION — TRADUCTION]

Contrary to what is indicated in the annex of the Convention, Belgium designates as the competent authority for the purpose of article 2 of the Convention the civil registration officer under whose custody this civil registration document is placed.

DÉCLARATIONS FAITES
LORS DE LA RATIFICATION
OU DE L'ADHÉSION (a)

AUTRICHE (a)

L'Autriche a désigné comme autorité qualifiée prévue à l'article 2 de la Convention le Ministère fédéral de l'intérieur.

BELGIQUE

«Contrairement à ce qui est mentionné dans l'annexe à la Convention, la Belgique désigne comme autorité qualifiée prévue à l'article 2 de la Convention l'officier de l'état civil détenteur de l'acte.»