

**No. 13278**

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**MULTILATERAL**

**Convention facilitating the celebration of marriages abroad.  
Concluded at Paris on 10 September 1964**

*Authentic text: French.*

*Registered by Switzerland, acting on behalf of the Parties, on 3 May 1974.*

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**MULTILATÉRAL**

**Convention tendant à faciliter la célébration des mariages à  
l'étranger. Conclue à Paris le 10 septembre 1964**

*Texte authentique: français.*

*Enregistrée par la Suisse, agissant au nom des Parties, le 3 mai 1974.*

[TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> FACILITATING THE CELEBRATION OF MARRIAGES ABROAD

The Federal Republic of Germany, the Republic of Austria, the Kingdom of Belgium, the French Republic, the Kingdom of Greece, the Italian 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 facilitate the celebration of marriages of their nationals in the territory of the other Contracting States, particularly as concerns the removal of impediments to marriage and publications prior to marriage,

Have agreed on the following provisions:

## PART I

*Article 1.* When the marriage of a national of one of the Contracting States is celebrated in the territory of another of those States and that national habitually resides there, the competent authorities of the country of celebration may, in the cases and under the conditions laid down by the personal law of the future spouse, exempt the latter from the impediments to marriage established by that law.

*Article 2.* The authorities of the country of celebration competent to grant the exemptions referred to in the preceding article shall be those which, under the internal legislation of that country, are competent to grant the same exemptions to nationals of that country.

A country whose legislation does not provide for such exemptions for its own nationals may endow one of its authorities with competence to grant them, in accordance with article 1, to nationals of the other contracting countries.

*Article 3.* The present Convention shall not affect the power of the authorities of the State of which the future spouse is a national to grant the person concerned exemptions in accordance with the laws of that State.

<sup>1</sup> Came into force on 29 May 1968 for the following two signatory States, i.e. the thirtieth day that followed the date of deposit with the Government of Switzerland of the second notification to the effect that the procedures required under the Constitution of those States to make the Convention applicable in their territory had been fulfilled, in accordance with articles 7 and 8:

<i>State</i>	<i>Date of deposit of notification of fulfilment of constitutional procedures</i>
Netherlands . . . . . (For the Kingdom in Europe and Surinam. Confirming the declaration made upon signature.)	11 February 1967
Turkey . . . . .	29 April 1968

Thereafter, a notification was deposited by the following signatory State with the Government of Switzerland on the date indicated, with effect from the thirtieth day after that date, in accordance with article 8:

<i>State</i>	<i>Date of deposit of notification of fulfilment of constitutional procedures</i>
Germany, Federal Republic of . . . . . (With effect from 25 July 1969. With a declaration to the effect that the Convention also applies to <i>Land Berlin</i> .)	25 June 1969

## PART II

*Article 4.* Publications prior to marriages celebrated in the local form in the territory of one of the Contracting States shall be governed exclusively by the internal law of that State.

## PART III

*Article 5.* When the law of one of the Contracting States prescribes religious celebration of marriage, the diplomatic or consular agents of the other Contracting States may, if their law so authorizes them, celebrate the marriage in that State, provided that at least one of the spouses is a national of the State which has designated the diplomatic or consular agent and that neither of the spouses possesses the nationality of the country of celebration.

Publications prior to marriage shall then be governed exclusively by the internal law of the country which has designated the diplomatic or consular agent.

## PART IV

*Article 6.* For the application of the present Convention, the term “nationals of a State” shall mean persons who have the nationality of that State and those whose personal status is governed by the laws of the said State.

*Article 7.* The Contracting States shall notify the Swiss Federal Council when they have completed the procedures required under their Constitutions to make the present Convention applicable in their territory.

The Swiss Federal Council shall inform the Contracting States and the Secretary-General of the International Commission on Civil Status of any notification under the preceding paragraph.

*Article 8.* The present Convention shall enter into force on the thirtieth day following the date of deposit of the second notification and shall thenceforth take effect between the two States which have completed that formality.

For each signatory State subsequently completing the formality referred to in the preceding article, the present Convention shall take effect on the thirtieth day following the date of deposit of its notification.

*Article 9.* Each Contracting State may, at the time of signature, the notification referred to in article 7, or accession, declare that it excludes one or two of the first three parts of the present Convention.

Any State which has made a declaration in accordance with the provisions of the first paragraph of this article may subsequently at any time declare, by notification addressed to the Swiss Federal Council, that it also accedes to the part or parts which it had excluded.

The Swiss Federal Council shall inform each Contracting State and the Secretary-General of the International Commission on Civil Status of the said notification.

The declaration referred to in the second paragraph of this article shall have effect beginning on the thirtieth day following the date on which the Swiss Federal Council received such notification.

*Article 10.* The present Convention shall automatically apply throughout the metropolitan territory of each Contracting State.

Each Contracting State may, at the time of signature, the notification referred to in article 7, of accession, or 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 which it assumes international responsibility. The Swiss Federal Council shall inform each Contracting State and the Secretary-General of the International Commission on Civil Status of the latter notification. 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 inform each Contracting State and the Secretary-General of the International Commission on Civil Status of the new notification.

The Convention shall cease to be applicable to the territory concerned on the sixtieth day following the date on which the Swiss Federal Council received the notification.

*Article 11.* Any State member of the Council of Europe or of the International Commission on Civil Status 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 inform each Contracting State and the Secretary-General of the International Commission on Civil Status of any deposit of an instrument of accession. 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.

*Article 12.* The present Convention shall remain in force for an indefinite period of time. Each Contracting State may, however, denounce this Convention or one or two of its first three parts at any time by means of written notification addressed to the Swiss Federal Council, which shall inform the other Contracting States and the Secretary-General of the International Commission on Civil Status.

The right of denunciation may not be exercised before the expiration of a five-year period beginning from the notification referred to in article 7 or from accession.

The denunciation shall take effect six months following the date on which the Swiss Federal Council received the notification referred to in the first paragraph of this article.

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

DONE at Paris on the tenth day of September one thousand nine hundred and sixty-four, 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 and to the Secretary-General of the International Commission on Civil Status.

For the Federal Republic of Germany:

The Federal Republic of Germany excludes part I of the present Convention, in accordance with article 9 thereof.

[Dr. M. KLAIBER]

[Dr. HANS G. FICKER]

For the Republic of Austria:

For the Kingdom of Belgium:

[JASPAR]

For the French Republic:

[J. FOYER]

For the Kingdom of Greece:

[A. FLOROS]

For the Italian Republic:

For the Grand Duchy of Luxembourg:

For the Kingdom of the Netherlands:

The Kingdom of the Netherlands declares that it excludes part I of the present Convention, in accordance with article 9 thereof.

With regard to the Kingdom of the Netherlands, the terms "metropolitan territory" and "extra-metropolitan territories" used in the text of the Convention mean, in view of the equality which exists from the point of view of public law between the Netherlands, Surinam and the Netherlands Antilles, "European territory" and "non-European territories".

[TH. VAN SASSE]

For the Swiss Confederation:

For the Turkish Republic:

[B. UŞAKLIGIL]