

No. 13275

MULTILATERAL

**Convention concerning the establishment of maternal
filiation of children born out of wedlock. Concluded at
Brussels on 12 September 1962**

Authentic text: French.

Registered by Switzerland on 3 May 1974.

MULTILATÉRAL

**Convention relative à l'établissement de la filiation mater-
nelle des enfants naturels. Conclue à Bruxelles le
12 septembre 1962**

Texte authentique: français.

Enregistrée par la Suisse le 3 mai 1974.

[TRANSLATION — TRADUCTION]

CONVENTION¹ CONCERNING THE ESTABLISHMENT OF MATERNAL FILIATION OF CHILDREN BORN OUT OF WEDLOCK

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 harmonize the rules concerning the establishment of maternal filiation of children born out of wedlock,

Have agreed on the following provisions:

Article 1. Where a person is designated in the birth certificate of a child born out of wedlock as the mother of that child, maternal filiation shall be established by such designation. That filiation, however, may be challenged.

Article 2. Where the mother is not designated in the birth certificate, she shall have the option of making a statement of acknowledgement before the competent authority of each Contracting State.

Article 3. Where the mother is designated in the birth certificate and she proves that a statement of acknowledgement is nevertheless necessary to meet the requirements of the law of a non-contracting State, she shall have the option of making such a statement to the competent authority of each Contracting State.

Article 4. The provisions of articles 2 and 3 shall not prejudice the validity of the acknowledgement.

Article 5. The provisions of article 1 shall, for each Contracting State, affect only births occurring after the entry into force of the present Convention.

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

The latter shall inform the Contracting States and the General Secretariat of the International Commission on Civil Status of any deposit of an instrument of ratification.

¹ Came into force on 23 April 1964, in respect of 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>
Switzerland	5 January 1963
Netherlands	24 March 1964

Thereafter, the instruments of ratification by the following States were deposited with the Government of Switzerland on the dates indicated, with effect from the thirtieth day after those dates, in accordance with article 7:

<i>State</i>	<i>Date of deposit of instrument of ratification</i>
Germany, Federal Republic of (With effect from 24 July 1965. With a declaration to the effect that the Convention also applies to <i>Land Berlin</i> .)	24 June 1965
Turkey (With effect from 12 January 1966.)	13 December 1965

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 Contracting State may, at the time of signature, ratification or 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 whose international relations it is responsible. The Swiss Federal Council shall inform each Contracting State and the General Secretariat of the International Commission on Civil Status of the said 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 General Secretariat 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 said notification.

Article 9. Any State member of the Council of Europe or 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 General Secretariat 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 10. The present Convention shall remain in force for an indefinite period of time. Each Contracting State may, however, denounce it at any time by means of written notification addressed to the Swiss Federal Council, which shall inform the other Contracting States and the General Secretariat of the International Commission on Civil Status.

The right of denunciation may not be exercised before the expiration of a five-year period following the date of ratification or accession.

The denunciation shall take effect six months following the date on which the Swiss Federal Council received the said notification.

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

DONE at Brussels on 12 September 1962 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 General Secretariat of the International Commission on Civil Status.

For the Federal Republic of Germany:

[Dr. OPPLER]

[FICKER]

For the Republic of Austria:

For the Kingdom of Belgium:

[P. H. SPAAK]

For the French Republic:

[FRANCIS LACOSTE]

For the Kingdom of Greece:

[P. E. GOURAS]

For the Italian Republic:

[U. CALDARERA]

For the Grand Duchy of Luxembourg:

For the Kingdom of the Netherlands:

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. J. VAN SASSE]

For the Swiss Confederation:

[GÖTZ]

For the Republic of Turkey:

[M. KENANOĞLU]