

No. 13277

MULTILATERAL

**Convention concerning decisions with regard to the rectification of civil registration documents (with annexes).
Concluded at Paris on 10 September 1964**

Authentic text: French.

Registered by Switzerland on 3 May 1974.

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Convention relative aux décisions de rectification d'actes de l'état civil (avec annexes). Conclue à Paris le 10 septembre 1964

Texte authentique: français.

Enregistrée par la Suisse le 3 mai 1974.

[TRANSLATION — TRADUCTION]

CONVENTION¹ CONCERNING DECISIONS WITH REGARD TO THE
RECTIFICATION OF CIVIL REGISTRATION DOCUMENTS

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 ensure that decisions taken with regard to the rectification of civil registration documents are effective and are enforced in the territory of their States,

Have agreed upon the following provisions:

Article 1. For the purpose of this Convention, the term “decision with regard to the rectification of civil registration documents” shall mean any decision by the competent authority which, without ruling on a question concerning the status of persons or the right to a title of nobility or an honorary title, rectifies an error in a civil registration document.

Article 2. The authority of one Contracting State which is competent to take a decision to rectify a civil registration document drawn up in the territory of that State and containing an error shall be equally competent to rectify, by the said decision, the same error reproduced in a document concerning the same person or his or her descendants drawn up subsequently in the territory of another Contracting State.

The said decision shall be enforceable without further formality in the territory of the other State.

For that purpose, the competent authority of the State in which the decision has been taken shall transmit a copy of the said decision and a copy of the corrected document to the competent authority of the State in which the decision must also be enforced.

¹ Came into force on 6 April 1966 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 6 and 7:

<i>State</i>	<i>Date of deposit of notification of fulfilment of constitution procedures</i>
Luxembourg	20 October 1965
Switzerland	7 March 1966

Thereafter, notifications by the following signatory 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 the 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
Netherlands (With effect from 21 May 1972. Specifying that the provisions of the Convention also apply to Surinam.)	21 April 1972
Turkey (With effect from 24 August 1967.)	25 July 1967

Article 3. When a decision with regard to the rectification of a civil registration document has been taken by the competent authority of one Contracting State, copies of or references to the said document in the civil registration records of another Contracting State shall be rectified accordingly, upon presentation of a copy of the decision with regard to the rectification and a copy of the corrected document.

Article 4. When the rectification exceeds the scope of this Convention or constitutes an error in itself, a Contracting State may, notwithstanding the provisions of articles 2 and 3, refuse to enforce it on the basis of a decision, accompanied by a statement of the grounds on which it is based by the judicial authority or the higher administrative authority named in the annex by each Contracting State.

The authority of the State in which the decision with regard to rectification was taken shall be notified of such refusal.

Article 5. The authorities entitled to send or receive documents or notifications are indicated for each Contracting State, in the annex to this Convention.

The said authorities may correspond directly.

Article 6. 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 7. 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 the deposit of its notification.

Article 8. 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 provided for in article 6, 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 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 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 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 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 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 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 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 from the date of the notification provided for in article 6 or 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 this Convention.

DONE at Paris on 10 September 1964, 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:

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:

JEAN WAGNER
HENRI DELVAUX

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. VAN SSASSE

For the Swiss Confederation:

ERNST GÖTZ

For the Republic of Turkey:

B. UŞAKLIGIL

ANNEX I

Authorities entitled to send or receive documents and notifications (article 5 of the Convention)

Germany: Standesamt (Civil Registry Office) I Berlin (West) Berlin-Dahlem

Austria:

Belgium: The Ministry of Justice

France: The Ministry of Justice or the *Procureur de la République* (chief State counsel) of the place where the corrected document or the document to be rectified was drawn up

Greece:

Italy: The Ministry of Justice

Luxembourg: The Ministry of Justice

Netherlands: The Ministry of Justice

Switzerland: Federal Civil Status Service—Berne 3

Turkey: The Ministry of Justice

ANNEX II

Authorities referred to in article 4 of the Convention

Germany: “Amtsgerichte” (District courts) where there is a “Landgericht” (*Land* court)

Austria:

Belgium: The judicial authorities

France: The President of the court in the place where the document to be rectified was drawn up ruling on the matter in accordance with article 99 of the Civil Code

Greece:

Italy: The court

Luxembourg: The *tribunal d'arrondissement* (district court)

Netherlands: The *tribunal d'arrondissement* (district court)

Switzerland: The cantonal authorities responsible for supervising civil status matters

Turkey: The court