

No. 14408

**HUNGARY
and
GERMAN DEMOCRATIC REPUBLIC**

**Treaty regulating questions of dual nationality. Signed at
Budapest on 17 December 1969**

Authentic texts: Hungarian and German.

Registered by Hungary on 10 November 1975.

**HONGRIE
et
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Traité portant réglementation des questions de double
nationalité. Signé à Budapest le 17 décembre 1969**

Textes authentiques : hongrois et allemand.

Enregistré par la Hongrie le 10 novembre 1975.

[TRANSLATION — TRADUCTION]

TREATY¹ BETWEEN THE HUNGARIAN PEOPLE'S REPUBLIC AND
THE GERMAN DEMOCRATIC REPUBLIC REGULATING QUES-
TIONS OF DUAL NATIONALITY

The Hungarian People's Republic and the German Democratic Republic,
Considering that there are persons in their territory whom both Contracting
Parties, in accordance with their legislation, regard as their nationals,

Desiring to eliminate the dual nationality of the said persons on the basis of free
choice and to prevent dual nationality from arising in the future,

Have decided to conclude this Treaty.

They have for that purpose appointed as their plenipotentiaries:

The Presidential Council of the Hungarian People's Republic: György Körösi,
Deputy Minister of the Interior;

The Chairman of the Council of State of the German Democratic Republic: Oskar
Fischer, Deputy Minister for Foreign Affairs,

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

Article 1. (1) Persons whom both Contracting Parties, in accordance with
their legislation, regard as their nationals may, under the provisions of this Treaty,
opt for either nationality by filing a written or oral declaration to that effect.

(2) Such declarations may be filed only by persons of full age.

(3) The said persons shall, as a result of filing the declaration, retain only the
nationality of the Contracting Party for which they have opted.

Article 2. (1) The persons referred to in article 1, paragraph 1, shall be en-
titled to file the declaration of option within one year after the entry into force of this
Treaty.

(2) Persons who opt for the nationality of the Contracting Party in whose ter-
ritory they are resident shall file the declaration with the State authority competent
for their place of residence.

(3) Persons who are resident in the territory of one Contracting Party and opt
for the nationality of the other Contracting Party shall file the declaration with the
diplomatic or consular mission of the latter Contracting Party.

(4) Persons who are resident in the territory of a third State shall file the
declaration with the diplomatic or consular mission or the Ministry of Foreign Af-
fairs of the Contracting Party for whose nationality they opt.

(5) The written declaration or the record of the oral declaration shall be drawn
up in duplicate in accordance with the law of the Contracting Party for whose na-
tionality the person in question opts.

¹ Came into force on 8 July 1970, i.e. 30 days after the date of the exchange of the instruments of ratification, which took place at Berlin on 8 June 1970, in accordance with article 14(2).

Article 3. (1) Persons who fail to file a declaration of option with the State authorities referred to in article 2 within one year after the entry into force of this Treaty shall, upon the expiry of that time-limit retain only the nationality of the Contracting Party in whose territory they are resident at that time.

(2) Where the persons referred to in paragraph 1 are resident outside the territory of the Contracting Parties they shall, upon the expiry of one year after the entry into force of this Treaty, retain only the nationality of the Contracting Party in whose territory they were resident before proceeding to the territory of a third State.

Article 4. (1) The parents of a person under full age born before the entry into force of this Treaty and having the nationality of both Contracting Parties may, within one year after the entry into force of this Treaty, opt on his behalf for one of the two nationalities by filing an agreed declaration to that effect. If the person under full age has completed his fourteenth year by that date, his consent to the declaration of option shall also be required.

(2) In the case of a person under full age born after the entry into force of this Treaty, one of whose parents is a national of one Contracting Party and the other a national of the other Contracting Party, the parents may, within one year after the birth of the child, opt on his behalf for one of the two nationalities by filing an agreed declaration to that effect.

Article 5. (1) Where the parents of a person under full age opt on his behalf for the nationality of the Contracting Party in whose territory they maintain their joint residence, they shall file a declaration with the State authority competent for their place of joint residence within the time-limit specified in article 4.

(2) Where the parents do not opt for the nationality of the Contracting Party in whose territory they maintain their joint residence, the declaration shall be filed with the diplomatic or consular mission of the other Contracting Party.

(3) Where the parents maintain their joint residence in the territory of a third State, the declaration of option regarding the nationality of a person under full age shall be filed with the diplomatic or consular mission or the Ministry of Foreign Affairs of the Contracting Party for whose nationality they opt.

(4) Article 2, paragraph 5, shall apply to the filing of a declaration of option regarding the nationality of a person under full age.

Article 6. (1) Where the parents fail to file a declaration of option or fail to file an agreed declaration of option regarding the nationality of a person under full age within the time-limit specified in article 4 or where the child does not give his consent in accordance with article 4, paragraph 1, he shall retain only the nationality of the Contracting Party in whose territory he is resident upon the expiry of the time-limit specified in article 4.

(2) In the cases specified in paragraph 1, a person under full age who is resident in the territory of a third State shall, upon the expiry of the time-limit specified in article 4, retain the nationality of the Contracting Party in whose territory the parents last maintained their joint residence. Where the parents did not maintain a joint residence in the territory of either Contracting Party, the child shall retain the nationality of the Contracting Party of which the mother is a national.

(3) Where the parents are not married to each other, the marriage has been dissolved or the parents are married but reside separately, their child under full age shall, in the cases specified in paragraph 1, retain the nationality of the Contracting Party of which the parent in whose custody he has been placed is a national.

Article 7. A person under full age whose parents are dead, the whereabouts of whose parents is unknown or whose parents have been deprived of custody shall retain the nationality of the Contracting Party in whose territory he is resident upon the expiry of the time-limit specified in article 4. A person under full age who is resident in the territory of a third State shall retain only the nationality of the Contracting Party in whose territory he was resident before going abroad. A person under full age who was not resident in the territory of either Contracting Party shall retain only the nationality of the Contracting Party of which his mother was a national at the time of his birth.

Article 8. (1) Persons born before the entry into force of this Treaty shall, as from the date on which the declaration is filed with the competent authorities specified in the Treaty, retain only the nationality opted for, and persons born after the entry into force of this Treaty shall, as from the date of their birth, retain only that nationality.

(2) Persons who have failed to file a declaration or who have failed to file an agreed declaration shall, upon the expiry of the time-limit specified in articles 2 and 4, retain only the nationality determined by this Treaty.

Article 9. Declarations filed pursuant to the provisions of this Treaty and proceedings conducted and documents issued in connexion therewith shall not be subject to any taxes.

Article 10. (1) The Contracting Parties shall exchange

- Not later than six months after the expiry of the time-limit specified in articles 2 and 4 of this Treaty, through the diplomatic channel, lists— together with the requisite particulars and addresses— of persons who have filed a declaration of option;
- By 31 March of each year, through the diplomatic channel, lists— together with the requisite particulars and addresses— of persons under full age born after the entry into force of this Treaty in respect of whom the parents have filed an agreed declaration of option during the preceding year.

(2) One copy of each declaration, showing the date of filing, shall be attached to such lists.

Article 11. (1) The declarant's nationality shall be certified to him by the competent State authority of the Contracting Party for whose nationality he has opted.

(2) Persons resident in the territory of one Contracting Party who opt for the nationality of the other Contracting Party or possess that nationality under the provisions of this Treaty shall have the status of aliens.

Article 12. After the entry into force of this Treaty, neither Contracting Party shall grant its nationality to nationals of the other Contracting Party except in cases where the persons concerned have been relieved of the nationality of the other Contracting Party.

Article 13. Any questions arising between the Contracting Parties in connexion with the application and interpretation of this Treaty shall be settled through the diplomatic channel.

Article 14. (1) This Treaty shall be subject to ratification. The exchange of the instruments of ratification shall take place at Berlin.

(2) This Treaty shall enter into force 30 days after the exchange of the instruments of ratification and shall remain in force for a term of five years. It shall be extended for further five-year terms until such time as one of the Contracting Parties denounces it at least six months before the expiry of the current term.

DONE at Budapest on 17 December 1969, in duplicate in the Hungarian and German languages, both texts being equally authentic.

For the Hungarian
People's Republic:
[GYÖRGY KÖRÖSI]

For the German
Democratic Republic:
[OSKAR FISCHER]
