

**No. 16550**

---

**MULTILATERAL**

**Convention on the reduction of the number of cases of statelessness. Concluded at Berne on 13 September 1973**

*Authentic text: French.*

*Registered by Switzerland, acting on behalf of the Parties, on 25 April 1978.*

---

**MULTILATÉRAL**

**Convention tendant à réduire le nombre des cas d'apatridie. Conclue à Berne le 13 septembre 1973**

*Texte authentique : français.*

*Enregistrée par la Suisse, agissant au nom des Parties, le 25 avril 1978.*

## [TRANSLATION — TRADUCTION]

CONVENTION<sup>1</sup> ON THE REDUCTION OF THE NUMBER OF CASES OF STATELESSNESS

The States signatories to this Convention, members of the International Commission on Civil Status, desiring to reduce the number of cases of statelessness, have agreed on the following provisions:

*Article 1.* A child whose mother has the nationality of a Contracting State shall acquire that nationality at birth in the event that such child would otherwise have been a stateless person.

However, where maternal affiliation does not take effect in regard to nationality until the date on which it is established, a minor child shall acquire the nationality of his or her mother on that date.

*Article 2.* For the purposes of the application of the preceding article, a child born to a father having refugee status shall be deemed not to have the nationality of the father.

*Article 3.* The provisions of the preceding articles shall apply in each Contracting State to children who were born after the entry into force of the Convention in that State or who were still minors on that date.

*Article 4.* At the time of the signature of the notification envisaged in article 6 or of accession, each Contracting State may declare that it deserves the right:

- (a) To limit the application of the foregoing articles to children born in the territory of a Contracting State;
- (b) Not to apply article 2;
- (c) To apply article 2 only when the father is recognized as a refugee in its territory.

The reservations envisaged in the preceding paragraph may be totally or partially withdrawn at any time simply by notification to the Swiss Federal Council.

The Swiss Federal Council shall inform the Contracting States and the Secretary-General of the International Commission on Civil Status of any reservations made or withdrawn in accordance with this article.

<sup>1</sup> Came into force on 31 July 1977 in respect of the following States, i.e., the thirtieth day after the date of deposit with the Government of Switzerland of the second instrument of ratification, in accordance with article 7:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Turkey .....	13 February 1976
Greece* .....	1 July 1977

Subsequently, the Convention came into force for the following State on the thirtieth day following the date of deposit with the Government of Switzerland of its instrument of ratification, in accordance with article 7:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Federal Republic of Germany* .....	25 August 1977
(With effect from 24 September 1977. With a declaration of application to Berlin (West).)	

\*See p. 290 of this volume for the texts of the reservations made upon ratification.

*Article 5.* The Convention shall not impede the application of international conventions or rules of domestic law that are more favourable as regards the attribution to a child of his or her mother's nationality.

*Article 6.* The signatory States shall notify the Swiss Federal Council of the completion of the procedures required for the application of this Convention in their territory.

The Swiss Federal Council shall inform the Contracting States and the Secretary-General of the International Commission on Civil Status of all notifications envisaged in the preceding paragraph.

*Article 7.* This Convention shall enter into force on the thirtieth day following the date of deposit of the second notification envisaged in article 6, and shall take effect on that day between the two States which have completed this formality on that day.

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

*Article 8.* This Convention shall automatically apply to the entire metropolitan territory of each Contracting State.

At the time of signature of the notification of accession or at a subsequent time, any State may declare by notification addressed to the Swiss Federal Council that the provisions of this Convention shall be applicable to one or more of its non-metropolitan territories, or to States or territories for which it assumes international responsibilities. The Swiss Federal Council shall inform each Contracting State and the Secretary-General of the International Commission on Civil Status of such notifications. The provisions of this Convention shall become applicable to the States or territories designated in the notification on the sixtieth day following the date on which the Swiss Federal Council received such notification.

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

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

The Convention shall cease to be applicable to the State or territory in question on the sixtieth day following the date on which the Swiss Federal Council received such notification.

*Article 9.* Any State member of the Council of Europe or of the International Commission on Civil Status and any State bound by the International Convention relating to the Status of Refugees signed at Geneva on 28 July 1951<sup>1</sup> or by the Protocol relating to the Status of Refugees of 31 January 1967,<sup>2</sup> may accede to this Convention. Instruments of accession 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 all the deposit of instruments of acces-

<sup>1</sup> United Nations, *Treaty Series*, vol. 189, p. 137.

<sup>2</sup> *Ibid.*, vol. 606, p. 267.

sion. 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 be deposited only after the entry into force of this Convention.

*Article 10.* This Convention shall remain in force for an indefinite period. Each Contracting State shall nevertheless have the right to denounce it at any time by 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 of such notification.

This right of denunciation may not be exercised until a period of one year has elapsed following the notification envisaged in article 6 or the accession.

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

IN WITNESS WHEREOF the undersigned, duly authorized for this purpose, have signed this Convention.

DONE at Bern, on 13 September 1973, in a single copy, which shall be deposited in the archives of the Swiss Federal Council and certified true copies of which shall be sent 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 declares that it makes the reservation envisaged in subparagraph (b) of the first paragraph of article 4 and that it shall not apply article 2 of this Convention.

The Federal Republic of Germany will apply this Convention to any child whose mother is German within the meaning of the fundamental law of the Federal Republic of Germany.

[FERID]

[MÜHLENHÖVER]

For the Kingdom of Belgium:

[LEROY]

For the Hellenic Republic:

The Hellenic Republic declares that it makes the reservation envisaged in subparagraph (b) of the first paragraph of article 4 and that it shall not apply article 2 of this Convention.

[E. KRISPI-NICOLETOPOULOU]

For the Grand Duchy of Luxembourg:

In accordance with article 4 of the Convention, the Government of the Grand Duchy of Luxembourg declares that it reserves the right not to apply article 2.

[HENRI DELVAUX]

For the Kingdom of the Netherlands:

With regard to the Kingdom of the Netherlands, the terms “metropolitan territory” and “non-metropolitan territories” used in the text of the Convention have the meaning, given the equality which exists in public law between the Netherlands, Surinam and the Netherlands Antilles, of “European territory” and “non-European territories”.

[J. VAN RIJN VAN ALKEMADE]

For the Swiss Confederation:

[Dr. ERNST GÖTZ]

For the Turkish Republic:

[Dr. SUAT BILGE]

## RESERVATIONS MADE UPON RATIFICATION

### GREECE

[*Confirming the reservation made upon signature. For the text of the reservation, see p. 290 of this volume.*]

### FEDERAL REPUBLIC OF GERMANY

[*Confirming the reservation made upon signature. For the text of the reservation, see p. 290 of this volume.*]

---