

No. 22027

**AUSTRIA
and
ARGENTINA**

Treaty concerning the performance of military duty by persons possessing double nationality. Signed at Buenos Aires on 13 September 1979

*Authentic texts: German and Spanish.
Registered by Austria on 28 June 1983.*

**AUTRICHE
et
ARGENTINE**

Accord relatif à l'accomplissement du service militaire des personnes possédant la double nationalité. Signé à Buenos Aires le 13 septembre 1979

*Textes authentiques : allemand et espagnol.
Enregistré par l'Autriche le 28 juin 1983.*

[TRANSLATION — TRADUCTION]

TREATY¹ BETWEEN THE REPUBLIC OF AUSTRIA AND THE ARGENTINE REPUBLIC CONCERNING THE PERFORMANCE OF MILITARY DUTY BY PERSONS POSSESSING DOUBLE NATIONALITY

The Federal President of the Republic of Austria and the President of the Argentine Republic,

Desiring to overcome the difficulties relating to the military service of persons who are Austrian nationals under Austrian law and at the same time Argentine nationals under Argentine law, have decided to conclude a treaty and for this purpose have designated as their Plenipotentiaries:

The President of the Federal Republic of Austria: the Federal Minister for Foreign Affairs, Dr. Willibald Pahr;

The President of the Argentine Republic: the Minister for Foreign Affairs and Worship, Brigadier Major (R) Carlos Washington Pastor,

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

Article 1. (1) Persons having Argentine nationality under Argentine law and Austrian nationality under Austrian law shall be exempt in peacetime from military service in Austria provided that, by furnishing an official document, issued by the competent Argentine authorities, they can establish that they have performed their military service in the Argentine Republic, or have been granted a deferment of such service, or have been exempted from such service under Argentine law. If they do not have their permanent residence in Austria, they shall be exempt from military service provided that they can establish that a deferment of such service has been granted to them by the Argentine authorities.

(2) Persons having Austrian nationality under Austrian law and Argentine nationality under Argentine law shall be exempt in peacetime from the performance of military service in Argentina provided that, by furnishing an official document, issued by the competent Austrian authorities, they can establish that they have performed their military service in the Republic of Austria, or have been granted a deferment of such service, or have been exempted from military service under Austrian law. If they do not have their permanent residence in Argentina, they shall be exempt from military service provided that they can establish that a deferment of such service has been granted to them by the Austrian authorities.

Article 2. The persons to whom this Treaty refers who, before its entry into force, have performed their military service in either of the two Contracting States or have been exempted therefrom shall not be required to perform such service in the other Contracting State.

¹ Came into force on 1 December 1981, i.e., the first day of the third month following the exchange of the instruments of ratification, which took place at Vienna on 3 September 1981, in accordance with article 4 (2).

Article 3. The performance of military service in accordance with the foregoing provisions shall not affect the legal status, in respect of nationality, of the person performing the service.

Article 4. (1) This Treaty shall be subject to ratification; the instruments of ratification shall be exchanged at Buenos Aires as soon as possible.

(2) This Treaty shall enter into force on the first day of the third month following the exchange of the instruments of ratification.

Article 5. This Treaty is concluded for an indefinite period. It may be denounced at any time by giving six months' notice in writing through the diplomatic channel.

IN WITNESS WHEREOF, the Plenipotentiaries have signed this Treaty and affixed thereto their seals.

DONE at Buenos Aires on 13 September 1979, in two originals in the German and Spanish languages, both texts being equally authentic.

For the Republic of Austria:

WILLIBALD PAHR

For the Argentine Republic:

PASTOR
