

No. 24390

MULTILATERAL

**Inter-American Convention on domicile of natural persons
in private international law. Concluded at Montevideo
on 8 May 1979**

Authentic texts: Spanish, English, Portuguese and French.

Registered by the Organization of American States on 23 October 1986.

MULTILATÉRAL

**Convention interaméricaine sur le domicile des personnes
physiques en droit international privé. Conclue à
Montevideo le 8 mai 1979**

Textes authentiques : espagnol, anglais, portugais et français.

Enregistrée par l'Organisation des États américains le 23 octobre 1986.

INTER-AMERICAN CONVENTION¹ ON DOMICILE OF NATURAL PERSONS IN PRIVATE INTERNATIONAL LAW

The Governments of the Member States of the Organization of American States, desirous of concluding a convention on domicile of natural persons in private international law, have agreed as follows:

Article 1. This Convention governs the uniform rules that regulate the domicile of natural persons in private international law.

Article 2. The domicile of a natural person shall be determined by the following circumstances in the order indicated:

1. The location of his habitual residence;
2. The location of his principal place of business;
3. In the absence of the foregoing, the place of mere residence;
4. In the absence of mere residence, the place where the person is located.

Article 3. The domicile of incompetent persons is that of their legal representatives, except when they are abandoned by those representatives, in which case their former domicile shall continue.

Article 4. The conjugal domicile is the place where the spouses live together, without prejudice to the right of each spouse to have his or her domicile determined in the manner established in Article 2.

Article 5. The domicile of diplomatic agents shall be their last domicile in the territory of the accrediting State. The domicile of natural persons temporarily residing abroad in the employment or commission of their Government shall be that of the State that appointed them.

Article 6. When a person has his domicile in two States Parties, he shall be considered to be domiciled in the State Party where he resides and, if he resides in both, the place in which he is located shall be preferred.

¹ Came into force on 14 June 1980, i.e., the thirtieth day following the date of deposit with the General Secretariat of the Organization of American States of the second instrument of ratification, in accordance with article 11:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Peru	15 May 1980
Uruguay*	15 May 1980

* For the text of the declaration made upon ratification, see p. 57 of this volume.

Subsequently, the Convention came into force for the following States thirty days after the date of deposit with the General Secretariat of the Organization of American States of their instruments of ratification or accession, in accordance with article 11:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Ecuador	1 June 1982
(With effect from 1 July 1982.)	
Paraguay	16 August 1985
(With effect from 15 September 1985.)	

Article 7. This Convention shall be open for signature by the Member States of the Organization of American States.

Article 8. This Convention is subject to ratification. The instruments of ratification shall be deposited with the General Secretariat of the Organization of American States.

Article 9. This Convention shall remain open for accession by any other State. The instrument of accession shall be deposited with the General Secretariat of the Organization of American States.

Article 10. Each State may, at the time of signature, ratification, or accession, make reservations to this Convention provided that each reservation concerns one or more specific provisions and is not incompatible with the object and purpose of the Convention.

Article 11. This Convention shall enter into force on the thirtieth day following the date of deposit of the second instrument of ratification.

For each State ratifying or acceding to the Convention after the deposit of the second instrument of ratification, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 12. If a State Party has two or more territorial units in which different systems of law apply in relation to the matters dealt with in this Convention, it may, at the time of signature, ratification, or accession, declare that this Convention shall apply to all its territorial units or only to one or more of them.

Such declaration may be modified by subsequent declarations, which shall expressly indicate the territorial unit or units to which this Convention applies. Such subsequent declarations shall be transmitted to the General Secretariat of the Organization of American States and shall become effective thirty days after the date of their receipt.

Article 13. This Convention shall remain in force indefinitely, but any of the States Parties may denounce it. The instrument of denunciation shall be deposited with the General Secretariat of the Organization of American States. After one year from the date of deposit of the instrument of denunciation, the Convention shall no longer be in force for the denouncing State, but shall remain in force for the other States Parties.

Article 14. The original instrument of this Convention, the English, French, Portuguese and Spanish texts of which are equally authentic, shall be deposited with the General Secretariat of the Organization of American States, which will forward an authenticated copy of the text to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of its Charter. The General Secretariat of the Organization of American States shall notify the Member States of that Organization and the States that have acceded to the Convention of the signatures, deposits of instruments of ratification, accession and denunciation, as well as of reservations, if any. It shall also transmit the declarations referred to in Article 12 of this Convention.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.

DONE at Montevideo, Republic of Uruguay, this eighth day of May one thousand nine hundred and seventy-nine.

[For signature pages, see p. 52 of this volume.]

Por Grenada:
For Grenada:
Por Grenada:
Pour la Grenade :

Por Suriname:
For Suriname:
Pelo Suriname:
Pour le Suriname :

Por Ecuador:
For Ecuador:
Pelo Equador:
Pour l'Équateur :

[*Signed — Signé*]
WILSON VELA HERVAS

Por la República Argentina:
For the Argentine Republic:
Pela República Argentina:
Pour la République Argentine :

Por Uruguay:
For Uruguay:
Pelo Uruguai:
Pour l'Uruguay :

[*Signed — Signé*]¹
MANUEL A. VIEIRA

¹ For the text of the declaration made upon signature, see p. 57 of this volume — Pour le texte de la déclaration faite lors de la signature, voir p. 57 du présent volume.

Por Colombia:
For Colombia:
Pela Colômbia:
Pour la Colombie :

[*Signed — Signé*]
[*Signed — Signé*]
ALVARO LEAL MORALES
FABIO TORRIJOS QUINTERO

Por Haïti:
For Haiti:
Pelo Haiti:
Pour Haïti :

[*Signed — Signé*]
[*Signed — Signé*]
[*Signed — Signé*]
YVES FRANÇOIS
RODRIGUE CASIMIR
VICTOR PIERRE-LOUIS

Por Mexico:
For Mexico:
Pelo México:
Pour le Mexique :

Por Brasil:
For Brazil:
Pelo Brasil:
Pour le Brésil :

[*Signed — Signé*]
HAROLDO TEIXEIRA VALLADÃO

Por Panamá:
For Panama:
Pelo Panamá:
Pour Panama :

[*Signed — Signé*]
JUAN MATERNO VASQUEZ

Por Perú:
For Peru:
Pelo Peru:
Pour le Pérou :

[*Signed — Signé*]
LUIS ALVARADO GARRIDO

Por Nicaragua:
For Nicaragua:
Por Nicarágua:
Pour le Nicaragua :

Por El Salvador:
For El Salvador:
Por El Salvador:
Pour le Salvador :

Por Bolivia:
For Bolivia:
Pela Bolívia:
Pour la Bolivie :

Por Venezuela:
For Venezuela:
Pela Venezuela:
Pour le Venezuela :

[*Signed — Signé*]
GONZALO PARRA ARANGUREN

Por Paraguay:
For Paraguay:
Pelo Paraguai:
Pour le Paraguay :

[*Signed — Signé*]
RAMÓN SILVA ALONSO

Por Guatemala:
For Guatemala:
Pela Guatemala:
Pour le Guatemala :

[*Signed — Signé*]
[*Signed — Signé*]
FRANCISCO VILLAGRÁN KRAMER
JUAN JOSÉ RODAS MARTINEZ

Por Barbados:
For Barbados:
Por Barbados:
Pour la Barbade :

Por Trinidad y Tobago:
For Trinidad and Tobago:
Por Trinidad e Tobago:
Pour la Trinité et Tobago :

Por Costa Rica:
For Costa Rica:
Por Costa Rica:
Pour Costa Rica :

[*Signed — Signé*]
GONZALO ORTÍZ MARTÍN

Por los Estados Unidos de América:
For the United States of America:
Pelo Estados Unidos da América:
Pour les Etats-Unis d'Amérique :

Por la República Dominicana:
For the Dominican Republic:
Pela República Dominicana:
Pour la République Dominicaine :

[*Signed — Signé*]
MARIA ELENA MUÑOZ DE RICART

Por Honduras:
For Honduras:
Por Honduras:
Pour le Honduras :

[*Signed — Signé*]
ADOLFO LEÓN GÓMEZ

Por Chile:
For Chile:
Pelo Chile:
Pour le Chili :

[*Signed — Signé*]
CARLOS FERREIRA CANNobbio

Por Jamaica:
For Jamaica:
Pela Jamaica:
Pour la Jamaïque :

DECLARATION MADE
UPON SIGNATURE

URUGUAY

*[For the text of the declaration see
p. 21 of this volume.]*

DÉCLARATION FAITE
LORS DE LA SIGNATURE

URUGUAY

*[Pour le texte de la déclaration voir
p. 21 du présent volume.]*

DECLARATION MADE
UPON RATIFICATION

URUGUAY

*[Confirming the declaration made
upon signature. See above.]*

DÉCLARATION FAITE
LORS DE LA RATIFICATION

URUGUAY

*[Avec confirmation de la déclaration
faite lors de la signature. Voir ci-dessus.]*