

Convention relating to the Status of Stateless Persons

The United Nations Conference on the Status of Stateless Persons, held at the Headquarters of the United Nations in New York from 13 to 23 September 1954.

ENTRY INTO FORCE: 6 June 1960, in accordance with article 39.

States Parties
Declarations and Reservations
Territorial Application
Declarations and reservations made upon notification of territorial application to the Convention relating to the Status of Stateless Persons

REGISTRATION: 6 June 1960, No. 5158.

TEXT: United Nations, Treaty Series, vol. 360, p.117.

STATUS: Signatories: 22. Parties: 44.

Note: The Convention was adopted by the United Nations Conference on the Status of Stateless Persons, held at the Headquarters of the United Nations in New York from 13 to 23 September 1954. The Conference was convened pursuant to resolution 526A (XVII)1 of 26 April 1954 of the Economic and Social Council of the United Nations. For the Final Act, recommendation and resolution adopted by the Conference, see United Nations, Treaty Series, vol. 360, p. 117.

Note: All references to chapters refer to the Multilateral Treaties Deposited with the Secretary-General (MTDSG) -United Nations publication -.

PREAMBLE

The High Contracting Parties,

Considering that the Charter of the United Nations and the Universal Declaration of Human Rights approved on 10 December 1948 by the General Assembly of the United Nations have affirmed the principle that human beings shall enjoy fundamental rights and freedoms without discrimination,

Considering that the United Nations has, on various occasions, manifested its profound concern for stateless persons and endeavoured to assure stateless persons the widest possible exercise of these fundamental rights and freedoms,

Considering that only those stateless persons who are also refugees are covered by the Convention relating to the Status of Refugees of 28 July 1951 and that there are many stateless persons who are not covered by that Convention;

Considering that it is desirable to regulate and improve the status of stateless persons by an international agreement,

Have agreed as follows:

Chapter I - GENERAL PROVISIONS

Article 1

Definition of the term "Stateless Person".

1. For the purpose of this Convention, the term "stateless person" means a person who is not considered as a national by any State under the operation of its law.

2. This Convention shall not apply:
 - (i) To persons who are at present receiving from **organs** or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance so long as they are receiving such protection or assistance;
 - (ii) To persons who are recognized by the competent authorities of the country in which they have taken residence as having the rights and obligations which are attached to the possession of the nationality of that country;
 - (iii) To persons with respect to whom there are serious reasons for considering that:
 - (a) They have committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provisions in respect of such crimes;
 - (b) They have committed a serious non-political crime outside the country of their residence prior to their admission to that country;
 - (c) They have been guilty of acts contrary to the purpose and principles of the United Nations.

Article 2

General obligations

Every stateless person has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order.

Article 3

Non-discrimination

The Contracting States shall apply the provisions of this Convention to stateless persons without discrimination as to race, religion or country of origin.

Article 4

Religion

The Contracting States shall accord to stateless persons within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practise their religion and freedom as regards the religious education of their children.

Article 5

Rights granted apart from this Convention

Nothing in this Convention shall be deemed to impair any rights and benefits granted by a Contracting State to stateless persons apart from this Convention.

Article 6

The term "in the same circumstances"

For the purpose of this Convention, the term "in the same circumstances" implies that any requirements (including requirements as to length and conditions of sojourn or residence) which the particular individual would have to fulfil for the enjoyment of the right in question, if he were not a stateless person, must be fulfilled by him, with the exception of requirements which by their nature a stateless person is incapable of fulfilling.

Article 7

Exemption from reciprocity

1. Except where this Convention contains more favourable provisions, a Contracting State shall accord to stateless persons the same treatment as is accorded to aliens generally.

2. After a period of three years' residence, all stateless persons shall enjoy exemption from legislative reciprocity in the territory of the Contracting States.
3. Each Contracting State shall continue to accord to stateless persons the rights and benefits to which they were already entitled, in the absence of reciprocity, at the date of entry into force of this Convention for that State.
4. The Contracting States shall consider favourably the possibility of according to stateless persons, in the absence of reciprocity, rights and benefits beyond those to which they are entitled according to paragraphs 2 and 3, and to extending exemption from reciprocity to stateless persons who do not fulfil the conditions provided for in paragraphs 2 and 3.
5. The provisions of paragraphs 2 and 3 apply both to the rights and benefits referred to in articles 13, 18, 19, 21 and 22 of this Convention and to rights and benefits for which this Convention does not provide.

Article 8

Exemption from exceptional measures

With regard to exceptional measures which may be taken against the person, property or interests of nationals or former nationals of a foreign State, the Contracting States shall not apply such measures to a stateless person solely on account of his having previously possessed the nationality of the foreign State in question. Contracting States which, under their legislation, are prevented from applying the general principle expressed in this article shall, in appropriate cases, grant exemptions in favour of such stateless persons.

Article 9

Provisional measures

Nothing in this Convention shall prevent a Contracting State, in time of war or other grave and exceptional circumstances, from taking provisionally measures which it considers to be essential to the national security in the case of a particular person, pending a determination by the Contracting State that that person is in fact a stateless person and that the continuance of such measures is necessary in this case in the interests of national security.

Article 10

Continuity of residence

1. Where a stateless person has been forcibly displaced during the Second World War and removed to the territory of a Contracting State, and is resident there, the period of such enforced sojourn shall be considered to have been lawful residence within that territory.
2. Where a stateless person has been forcibly displaced during the Second World War from the territory of a Contracting State and has, prior to the date of entry into force of this Convention, returned there for the purpose of taking up residence, the period of residence before and after such enforced displacement shall be regarded as one uninterrupted period for any purposes for which uninterrupted residence is required.

Article 11

Stateless seamen

In the case of stateless persons regularly serving as crew members on board a ship flying the flag of a Contracting State, that State shall give sympathetic consideration to their establishment in its territory and the issue of travel documents to them or their temporary admission to its territory particularly with a view to facilitating their establishment in another country.

Chapter II - JURIDICAL STATUS

Article 12

Personal status

1. The personal status of a stateless person shall be governed by the law of the country of his domicile or, if he has no domicile, by the law of the country of his residence.
2. Rights previously acquired by a stateless person and dependent on personal status, more particularly rights attaching to marriage, shall be respected by a Contracting State, subject to compliance, if this be necessary, with the formalities required by the law of that State, provided that the right in question is one which would have been recognized by the law of that State had he not become stateless.

Article 13

Movable and immovable property

The Contracting States shall accord to a stateless person treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto, and to leases and other contracts relating to movable and immovable property.

Article 14

Artistic rights and industrial property

In respect of the protection of industrial property, such as inventions, designs or models, trade marks, trade names, and of rights in literary, artistic and scientific works, a stateless person shall be accorded in the country in which he has his habitual residence the same protection as is accorded to nationals of that country. In the territory of any other Contracting State, he shall be accorded the same protection as is accorded in that territory to nationals of the country in which he has his habitual residence.

Article 15

Right of association

As regards non-political and non-profit-making associations and trade unions the Contracting States shall accord to stateless persons lawfully staying in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

Article 16

Access to Courts

1. A stateless person shall have free access to the Courts of Law on the territory of all Contracting States.
2. A stateless person shall enjoy in the Contracting State in which he has his habitual residence the same treatment as a national in matters pertaining to access to the Courts, including legal assistance and exemption from caution judicatum solvi.
3. A stateless person shall be accorded in the matters referred to in paragraph 2 in countries other than that in which he has his habitual residence the treatment granted to a national of the country of his habitual residence.

Chapter III - GAINFUL EMPLOYMENT

Article 17

Wage-earning employment

1. The Contracting States shall accord to stateless persons lawfully staying in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the right to engage in wage-earning employment.
2. The Contracting States shall give sympathetic consideration to assimilating the rights of all stateless persons with regard to wage-earning employment to those of nationals, and in particular of those stateless persons who have entered their territory pursuant to programmes of labour recruitment or under immigration schemes.

Article 18

Self-employment

The Contracting States shall accord to a stateless person lawfully in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the right to engage on his own account in agriculture, in industry, handicrafts and commerce and to establish commercial and industrial companies.

Article 19

Liberal professions

Each Contracting State shall accord to stateless persons lawfully staying in their territory who hold diplomas recognized by the competent authorities of that State, and who are desirous of practising a liberal profession, treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

Chapter IV - WELFARE

Article 20

Rationing

Where a rationing system exists, which applies to the population at large and regulates the general distribution of products in short supply, stateless persons shall be accorded the same treatment as nationals.

Article 21

Housing

As regards housing, the Contracting States, in so far as the matter is regulated by laws or regulations or is subject to the control of public authorities, shall accord to stateless persons lawfully staying in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances.

Article 22

Public education

1. The Contracting States shall accord to stateless persons the same treatment as is accorded to nationals with respect to elementary education.
2. The Contracting States shall accord to stateless persons treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.

Article 23

Public relief

The Contracting States shall accord to stateless persons lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals.

Article 24

Labour legislation and social security

1. The Contracting States shall accord to stateless persons lawfully staying in their territory the same treatment as is accorded to nationals in respect of the following matters:
 - (a) In so far as such matters are governed by laws or regulations or are subject to the control of administrative authorities: remuneration, including family allowances where these form part of

remuneration, hours of work, overtime arrangements, holidays with pay, restrictions on home work, minimum age of employment, apprenticeship and training, women's work and the work of young persons, and the enjoyment of benefits of collective bargaining;

- (b) Social security (legal provisions in respect of employment, injury, occupational diseases, maternity, sickness, disability, old age, death, unemployment, family responsibilities and any other contingency which, according to national laws or regulations, is covered by a social security scheme), subject to the following limitations:
 - (i) There may be appropriate arrangements for the maintenance of acquired rights and rights in course of acquisition;
 - (ii) National laws or regulations of the country of residence may prescribe special arrangements concerning benefits or portions of benefits which are payable wholly out of public funds, and concerning allowances paid to persons who do not fulfil the contribution conditions prescribed for the award of a normal pension.
2. The right to compensation for the death of a stateless person resulting from employment injury or from occupational disease shall not be affected by the fact that the residence of the beneficiary is outside the territory of the Contracting State.
3. The Contracting States shall extend to stateless persons the benefits of agreements concluded between them, or which may be concluded between them in the future, concerning the maintenance of acquired rights and rights in the process of acquisition in regard to social security, subject only to the conditions which apply to nationals of the States signatory to the agreements in question.
4. The Contracting States will give sympathetic consideration in extending to stateless persons so far as possible the benefits of similar agreements which may at any time be in force between such Contracting States and non-contracting States.

Chapter V - ADMINISTRATIVE MEASURES

Article 25

Administrative assistance

1. When the exercise of a right by a stateless person would normally require the assistance of authorities of a foreign country to whom he cannot have recourse, the Contracting State in whose territory he is residing shall arrange that such assistance be afforded to him by their own authorities.
2. The authority or authorities mentioned in paragraph 1 shall deliver or cause to be delivered under their supervision to stateless persons such documents or certifications as would normally be delivered to aliens by or through their national authorities.
3. Documents or certifications so delivered shall stand in the stead of the official instruments delivered to aliens by or through their national authorities, and shall be given credence in the absence of proof to the contrary.
4. Subject to such exceptional treatment as may be granted to indigent persons, fees may be charged for the services mentioned herein, but such fees shall be moderate and commensurate with those charged to nationals for similar services.
5. The provisions of this article shall be without prejudice to articles 27 and 28.

Article 26

Freedom of movement

Each Contracting State shall accord to stateless persons lawfully in its territory the right to choose their place of residence and to move freely within its territory, subject to any regulations applicable to aliens generally in the same circumstances.

Article 27

Identity papers

The Contracting States shall issue identity papers to any stateless person in their territory who does not possess a valid travel document.

Article 28

Travel documents

The Contracting States shall issue to stateless persons lawfully staying in their territory travel documents for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require, and the provisions of the Schedule to this Convention shall apply with respect to such documents. The Contracting States may issue such a travel document to any other stateless person in their territory; they shall in particular give sympathetic consideration to the issue of such a travel document to stateless persons in their territory who are unable to obtain a travel document from the country of their lawful residence.

Article 29

Fiscal charges

1. The Contracting States shall not impose upon stateless persons duties, charges or taxes, of any description whatsoever, other or higher than those which are or may be levied on their nationals in similar situations.
2. Nothing in the above paragraph shall prevent the application to stateless persons of the laws and regulations concerning charges in respect of the issue to aliens of administrative documents including identity papers.

Article 30

Transfer of assets

1. A Contracting State shall, in conformity with its laws and regulations, permit stateless persons to transfer assets which they have brought into its territory, to another country where they have been admitted for the purpose of resettlement.
2. A Contracting State shall give sympathetic consideration to the application of stateless persons for permission to transfer assets wherever they may be and which are necessary for their resettlement in another country to which they have been admitted.

Article 31

Expulsion

1. The Contracting States shall not expel a stateless person lawfully staying in their territory save on grounds of national security or public order.
2. The expulsion of such a stateless person shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the stateless person shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority.
3. The Contracting States shall allow such a stateless person a reasonable period within which to seek legal admission into another country. The Contracting States reserve the right to apply during that period such internal measures as they may deem necessary.

Article 32

Naturalization

The Contracting States shall as far as possible facilitate the assimilation and naturalization of stateless persons. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

Chapter VI - FINAL CLAUSES

Article 33

Information on national legislation

The Contracting States shall communicate to the Secretary-General of the United Nations the laws and regulations which they may adopt to ensure the application of this Convention.

Article 34

Settlement of disputes

Any dispute between parties to this Convention relating to its interpretation or application, which cannot be settled by other means, shall be referred to the International Court of Justice at the request of any one of the parties to the dispute.

Article 35

Signature, ratification and accession

1. This Convention shall be open for signature at the Headquarters of the United Nations until 31 December 1955.
2. It shall be open for signature on behalf of:
 - (a) Any State member of the United Nations;
 - (b) Any other State invited to attend the United Nations Conference on the Status of Stateless Persons; and
 - (c) Any State to which an invitation to sign or to accede may be addressed by the General Assembly of the United Nations.
3. It shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.
4. It shall be open for accession by the States referred to in paragraph 2 of this article. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 36

Territorial application clause

1. Any State may, at the time of signature, ratification or accession, declare that this Convention shall extend to all or any of the territories for the international relations of which it is responsible. Such a declaration shall take effect when the Convention enters into force for the State concerned.
2. At any time thereafter any such extension shall be made by notification addressed to the Secretary-General of the United Nations and shall take effect as from the ninetieth day after the day of receipt by the Secretary-General of the United Nations of this notification, or as from the date of entry into force of the Convention for the State concerned, whichever is the later.
3. With respect to those territories to which this Convention is not extended at the time of signature, ratification or accession, each State concerned shall consider the possibility of taking the necessary steps in order to extend the application of this Convention to such territories, subject, where necessary for constitutional reasons, to the consent of the Governments of such territories.

Article 37

Federal clause

In the case of a Federal or non-unitary State, the following provisions shall apply:

- (a) With respect to those articles of this Convention that come within the legislative jurisdiction of the

federal legislative authority, the obligations of the Federal Government shall to this extent be the same as those of Parties which are not Federal States.

- (b) With respect to those articles of this Convention that come within the legislative jurisdiction of constituent States, provinces or cantons which are not, under the constitutional system of the Federation, bound to take legislative action, the Federal Government shall bring such articles with a favourable recommendation to the notice of the appropriate authorities of states, provinces or cantons at the earliest possible moment.
- (c) A Federal State Party to this Convention shall, at the request of any other Contracting State transmitted through the Secretary-General of the United Nations, supply a statement of the law and practice of the Federation and its constituent units in regard to any particular provision of the Convention showing the extent to which effect has been given to that provision by legislative or other action.

Article 38

Reservations

1. At the time of signature, ratification or accession, any State may make reservations to articles of the Convention other than to articles 1, 3, 4, 16 (1) and 33 to 42 inclusive.
2. Any State making a reservation in accordance with paragraph 1 of this article may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations.

Article 39

Entry into force

1. This Convention shall come into force on the ninetieth day following the day of deposit of the sixth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day following the date of deposit by such State of its instrument of ratification or accession.

Article 40

Denunciation

1. Any Contracting State may denounce this Convention at any time by a notification addressed to the Secretary-General of the United Nations.
2. Such denunciation shall take effect for the Contracting State concerned one year from the date upon which it is received by the Secretary-General of the United Nations.
3. Any State which has made a declaration or notification under article 36 may, at any time thereafter, by a notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to such territory one year after the date of receipt of the notification by the Secretary-General.

Article 41

Revision

1. Any Contracting State may request revision of this Convention at any time by a notification addressed to the Secretary-General of the United Nations.
2. The General Assembly of the United Nations shall recommend the steps, if any, to be taken in respect of such request.

Article 42

Notifications by the Secretary-General of the United Nations

The Secretary-General of the United Nations shall inform all Members of the United Nations and non-

member States referred to in article 35:

- (a) Of signatures, ratifications and accessions in accordance with article 35;
- (b) Of declarations and notifications in accordance with article 36;
- (c) Of reservations and withdrawals in accordance with article 38;
- (d) Of the date on which this Convention will come into force in accordance with article 39;
- (e) Of denunciations and notifications in accordance with article 40;
- (f) Of requests for revision in accordance with article 41.

IN FAITH WHEREOF the undersigned, duly authorized, have signed this Convention on behalf of their respective Governments.

DONE at New York, this twenty-eighth day of September, one thousand nine hundred and fifty-four, in a single copy, of which the English, French and Spanish texts are equally authentic and which shall remain deposited in the archives of the United Nations, and certified true copies of which shall be delivered to all Members of the United Nations and to the non-member States referred to in article 35.

States Parties to the Convention relating to the Status of Stateless Persons

As of December 1998

CONVENTION RELATING TO THE STATUS OF STATELESS PERSONS

Date of Entry into Force: 6 June 1960

Most recent Ratification: Spain 12 May 1997 a

Countries	Signature	Ratification, accession (a) succession (d)
Algeria		15 Jul 1964 a
Antigua and Barbuda		25 Oct 1988 d
Argentina		01 Jun 1972 a
Armenia		18 May 1994 a
Australia		13 Dec 1973 a
Azerbaijan		16 Aug 1996 a
Barbados		06 Mar 1972 d
Belgium	28 Sep 1954	27 May 1960
Bolivia		06 Oct 1983 a
Bosnia and Herzegovina		01 Sep 1993 d
Botswana		25 Feb 1969 d
Brazil	28 Sep 1954	-13 Aug 1996
China 2		
Colombia	30 Dec 1954	-
Costa Rica	28 Sep 1954	02 Nov 1977
Croatia		12 Oct 1992 d
Denmark	28 Sep 1954	17 Jan 1956
Ecuador	28 Sep 1954	02 Oct 1970
El Salvador	28 Sep 1954	-
Fiji		12 Jun 1972 d
Finland		10 Oct 1968 a
France	12 Jan 1955	08 Mar 1960
Germany 3 , 4	28 Sep 1954	26 Oct 1976
Greece		04 Nov 1975 a

Countries	Signature	Ratification, accession (a) succession (d)
Guatemala	28 Sep 1954	-
Guinea		21 Mar 1962 a
Holy See	28 Sep 1954	-
Honduras	28 Sep 1954	-
Ireland		17 Dec 1962 a
Israel	01 Oct 1954	23 Dec 1958
Italy	20 Oct 1954	03 Dec 1962
Kiribati		29 Nov 1983 d
Lesotho		04 Nov 1974 d
Liberia		11 Sep 1964 a
Libyan Arab Jamahiriya		16 May 1989 a
Liechtenstein	28 Sep 1954	-
Luxembourg	28 Oct 1955	27 Jun 1960
Madagascar 5		[20 Feb 1962 a]
Netherlands	28 Sep 1954	12 Apr 1962
Norway	28 Sep 1954	19 Nov 1956
Philippines	22 Jun 1955	-
Republic of Korea		22 Aug 1962 a
Slovenia		06 Jul 1992 d
Spain		12 May 1997 a
Sweden	28 Sep 1954	02 Apr 1965
Switzerland	28 Sep 1954	03 Jul 1972
the former Yugoslav Republic of Macedonia		18 Jan 1994 d
Trinidad and Tobago		11 Apr 1966 d
Tunisia		29 Jul 1969 a
Uganda		15 Apr 1965 a
United Kingdom	28 Sep 1954	16 Apr 1959
Yugoslavia		09 Apr 1959 a
Zambia		01 Nov 1974 d

Declarations and Reservations to the Convention relating to the Status of Stateless Persons

(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

Antigua and Barbuda

"The Government of Antigua and Barbuda can only undertake that the provisions of articles 23, 24, 25 and 31 will be applied in Antigua and Barbuda so far as the law allows."

Argentina

The application of this Convention in territories whose sovereignty is the subject of discussion between two or more States, irrespective of whether they are parties to the Convention, cannot be construed as an alteration, renunciation or relinquishment of the position previously maintained by each of them.

Barbados

"The Government of Barbados . . . declares with regard to the reservations made by the United Kingdom on notification of the territorial application of the Convention to the West Indies (including Barbados) on the 19th March, 1962 that it can only undertake that the provisions of Articles 23, 24, 25 and 31 will be applied in Barbados so far as the law allows.

"The application of the Convention to Barbados was also made subject to reservations to Articles 8, 9 and 26 which are hereby withdrawn."

Botswana 6

"(a) Article 31 of the said Convention shall not oblige Botswana to grant to a stateless person a status more favourable than that accorded to aliens in general;

"(b) Articles 12 1) and 7 2) of the Convention shall be recognized as recommendations only."

Costa Rica 7

Denmark 8

Denmark is not bound by article 24, paragraph 3.

The provisions of article 24, paragraph 1, under which stateless persons are in certain cases placed on the same footing as nationals, shall not oblige Denmark to grant stateless persons in every case exactly the same remuneration as that provided by law for nationals, but only to grant them what is required for their support.

Article 31 shall not oblige Denmark to grant to stateless persons a status more favourable than that accorded to aliens in general.

El Salvador

Upon signature :

El Salvador signs the present Convention with the reservation that the expression "treatment as favourable as possible", referred to in those of its provisions to which reservations may be made, must not be understood to include the special treatment which has been or may be granted to the nationals of Spain, the Latin American countries in general, and in particular to the countries which constituted the United Provinces of Central America and now form the Organization of Central American States.

Fiji

The Government of Fiji stated that the first and third reservations made by the United Kingdom are affirmed but have been redrafted as more suitable to the application of Fiji in the following terms:

"1. The Government of Fiji understands articles 8 and 9 as not preventing them from taking in time of war or other grave and exceptional circumstances measures in the interests of national security in the case of a stateless person on the ground of his former nationality. The provisions of article 8 shall not prevent the Government of Fiji from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore the provisions of article 8 shall not affect the treatment to be accorded to any property or interests which at the date of entry into force of this Convention in respect of Fiji were under the control of the Government of the United Kingdom of Great Britain and Northern Ireland or of the Government of Fiji respectively by reason of a state of war which existed between them and any other State.

"2. The Government of Fiji cannot undertake to give effect to the obligations contained in paragraphs 1 and 2 of article 25 and can only undertake to apply the provisions of paragraph 3 so far as the law allows.

"Commentary: No arrangements exist in Fiji for the administrative assistance for which provision is made in article 25 nor have any such arrangements been found necessary in the case of stateless persons. Any need for the documents or certificates mentioned in paragraph 2 of that article would be met by affidavit.

"All other reservation made by the United Kingdom to the above-mentioned Convention is withdrawn."

Finland 9

"(1) A general reservation to the effect that the application of those provisions of the Convention which grant to stateless persons the most favourable treatment accorded to nationals of a foreign country shall not be affected by the fact that special rights and privileges are now or may in future be accorded by Finland to the nationals of Denmark, Iceland, Norway and Sweden or to the nationals of any one of those Countries;

"(2) A reservation to article 7, paragraph 2, to the effect that Finland is not prepared, as a general measure, to grant stateless persons who fulfil the conditions of three years residence in Finland an exemption from any legislative reciprocity which Finnish law may have stipulated as a condition governing an alien's eligibility for same right or privilege;

"(3) A reservation to article 8 to the effect that that article shall not be binding on Finland;

"(4) . . .

"(5) A reservation to article 24, paragraph 1 (b) and paragraph 3 to the effect that they shall not be binding on Finland; "(6) A reservation to article 25, to the effect that Finland does not consider itself bound to cause a certificate to be delivered by a Finnish authority, in the place of the authorities of a foreign country, if the documentary records necessary for the delivery of such certificate do not exist in Finland;

"(7) A reservation with respect to the provisions contained in article 28. Finland does not accept the obligations stipulated in the said article, but is prepared to recognize travel documents issued by other Contracting States pursuant to this article."

France

The provisions of article 10, paragraph 2, are regarded by the French Government as applying only to stateless persons who were forcibly displaced from French territory, and who have, prior to the date of entry into force of this Convention, returned there direct from the country to which they were forced to proceed, without in the meantime having received authorization to reside in the territory of any other State.

Germany 3

1. Article 23 will be applied without restriction only to stateless persons who are also refugees within the meaning of the Convention of 28 July 1951 relating to the Status of Refugees and the Protocol of 31 January 1967 relating to the Status of Refugees, but otherwise only to the extent provided for under national legislation;

2. Article 27 will not be applied.

Guatemala

Upon signature:

Guatemala signs the present Convention with the reservation that the expression "treatment as favourable as possible", referred to in those of its provisions to which reservations may be made, must not be understood to include the special treatment which has been or may be granted to the nationals of Spain, the Latin American countries in general, and in particular to the countries which constituted the United Provinces of Central America and now form the Organization of Central American States.

Holy See

"The Convention will be applied in the form compatible with the special nature of the State of the Vatican City and without prejudice to the norms that grant access thereunto and sojourn therein."

Honduras

Upon signature:

Honduras signs the present Convention with the reservation that the expression "treatment as favourable

as possible", referred to in those of its provisions to which reservations may be made, must not be understood to include the special treatment which has been or may be granted to the nationals of Spain, the Latin American countries in general, and in particular to the countries which constituted the United Provinces of Central America and now form the Organization of Central American States.

Ireland

Declaration:

"The Government of Ireland understand the words 'public order' and 'in accordance with due process of law', as they appear in article 31 of the Convention, to mean respectively, 'public policy' and 'in accordance with the procedure provided by law'."

Reservation:

"With regard to article 29 (1), the Government of Ireland do not undertake to accord to stateless persons treatment more favourable than that accorded to aliens generally with respect to

(a) The stamp duty chargeable in Ireland in connection with conveyances, transfers and leases of lands, tenements and hereditaments, and

(b) Income tax (including sur-tax)."

Italy 10

The provisions of articles 17 and 18 are recognized as recommendations only.

Kiribati

Reservations:

[The following reservations originally made by the United Kingdom were reformulated as follows in terms suited to their direct application to Kiribati]:

"1. The Government of Kiribati understands articles 8 and 9 as not preventing them from taking in time of war or other grave and exceptional circumstances measures in the interests of national security in the case of a stateless person on the ground of his former nationality. The provisions of article 8 shall not prevent the Government of Kiribati from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of article 8 shall not affect the treatment to be accorded to any property or interest which at the date of entry into force of this Convention in respect of the Gilbert Islands were under the control of the Government of the United Kingdom of Great Britain and Northern Ireland by reason of a state of war which exists or existed between them and any other State.

"2. The Government of Kiribati can only undertake to apply the provisions of sub-paragraph (b) of paragraph 1 of article 24 so far as the law allows.

"3. The Government of Kiribati cannot undertake to give effect to the obligations contained in paragraphs 1 and 2 of article 25 and can only undertake to apply the provisions of paragraph 3 so far as the law allows."

Lesotho 11

"1. In accordance with article 38 of the Convention, the Government of the Kingdom of Lesotho declares that it understands articles 8 and 9 as not preventing it from taking in time of war or other grave and exceptional circumstances measures in the interest of national security in the case of a stateless person on the ground of his former nationality. The provisions of article 8 shall not prevent the Government of the Kingdom of Lesotho from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore the provisions of article 8 shall not affect the treatment to be accorded to any property or interests which at the date of entry into force of this Convention in respect of Lesotho were under the

control of the Government of the United Kingdom of Great Britain and Northern Ireland or of the Government of Lesotho by reason of a state of war which existed between them and any other State.

"2. The Government of the Kingdom of Lesotho cannot undertake to give effect to the obligations contained in paragraphs 1 and 2 of article 25 and can only undertake to apply the provisions of paragraph 3 so far as the laws of Lesotho allow.

"3. The Government of the Kingdom of Lesotho shall not be bound under article 31 to grant to a stateless person a status more favourable than that accorded to aliens generally."

Netherlands

The Government of the Kingdom reserves the right not to apply the provisions of article 8 of the Convention to stateless persons who previously possessed enemy nationality or the equivalent thereof with respect to the Kingdom of Netherlands;

With reference to article 26 of the Convention, the Government of the Kingdom reserves the right to designate a place of principal residence for certain stateless persons or groups of stateless persons in the public interest.

Philippines

Upon signature:

"(a) As regards Article 17, paragraph 1, granting stateless persons the right to engage in wage-earning employment, [the Government of the Philippines] finds that this provision conflicts with the Philippine Immigration Act of 1940, as amended, which classifies as excludable aliens under Section 29 those coming to the Philippines to perform unskilled labour, and permits the admission of pre-arranged employees under Section 9 (g) only when there are no persons in the Philippines willing and competent to perform the labour or service for which the admission of aliens is desired.

"(b) As regards Article 31, paragraph 1, to the effect that 'the Contracting States shall not expel a stateless person lawfully in their territory, save on grounds of national security or public order', this provision would unduly restrict the power of the Philippine Government to deport undesirable aliens under Section 37 of the same Immigration Act which states the various grounds upon which aliens may be deported.

"Upon signing the Convention [the Philippine Government], therefore hereby [registers] its non-conformity to the provisions of Article 17, paragraph 1, and Article 31, paragraph 1, thereof, for the reasons stated in (a) and (b) above."

Spain

Reservation:

[The Government of the Kingdom of Spain] makes a reservation to article 29, paragraph 1, and considers itself bound by the provisions of that paragraph only in the case of stateless persons residing in the territory of any of the Contracting States".

Sweden 12

Reservations:

(1) . . .

(2) To article 8. This article will not be binding on Sweden.

(3) To article 12, paragraph 1. This paragraph will not be binding on Sweden.

(4) To article 24, paragraph 1 (b). Notwithstanding the rule concerning the treatment of stateless persons as nationals, Sweden will not be bound to accord to stateless persons the same treatment as is accorded to nationals in respect of the possibility of entitlement to a national pension under the provisions of the

National Insurance Act; and likewise to the effect that, in so far as the right to a supplementary pension under the said Act and the computation of such pension in certain respects are concerned, the rules applicable to Swedish nationals shall be more favourable than those applied to other insured persons.

(5) To article 24, paragraph 3. The provisions of this paragraph will not be binding on Sweden.

(6) To article 25, paragraph 2. Sweden does not consider itself obliged to cause a Swedish authority, in lieu of a foreign authority, to deliver certificates for the issuance of which there is insufficient documentation in Sweden.

United Kingdom of Great Britain and Northern Ireland

Declaration:

"I have the honour further to state that the Government of the United Kingdom deposit the present instrument of ratification on the understanding that the combined effects of articles 36 and 38 permit them to include in any declaration or notification made under paragraph 1 of article 36 or paragraph 2 of article 36 respectively any reservation consistent with article 38 which the Government of the territory concerned might desire to make."

Reservations:

"When ratifying the Convention relating to the Status of Stateless Persons which was opened for signature at New York on September 28, 1954, the Government of the United Kingdom have deemed it necessary to make certain reservations in accordance with paragraph 1 of Article 38 thereof the text of which is reproduced below:

(1) The Government of the United Kingdom of Great Britain and Northern Ireland understand Articles 8 and 9 as not preventing them from taking in time of war or other grave and exceptional circumstances measures in the interests of national security in the case of a stateless person on the ground of his former nationality. The provisions of Article 8 shall not prevent the Government of the United Kingdom of Great Britain and Northern Ireland from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of Article 8 shall not affect the treatment to be accorded to any property or interests which at the date of entry into force of this Convention for the United Kingdom of Great Britain and Northern Ireland are under the control of the Government of the United Kingdom of Great Britain and Northern Ireland by reason of a state of war which exists or existed between them and any other State.

(2) The Government of the United Kingdom of Great Britain and Northern Ireland, in respect of such of the matters referred to in sub-paragraph (b) of paragraph 1 of Article 24 as fall within the scope of the National Health Service, can only undertake to apply the provisions of that paragraph so far as the law allows.

(3) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake to give effect to the obligations contained in paragraphs 1 and 2 of Article 25 and can only undertake to apply the provisions of paragraph 3 so far as the law allows."

Commentary: "In connexion with sub-paragraph (b) of paragraph 1 of Article 24 which relates to certain matters within the scope of the National Health Service, the National Health Service (Amendment) Act 1949 contains powers for charges to be made to persons not ordinarily resident in Great Britain (which category would include some stateless persons) who receive treatment under the Service. These powers have not yet been exercised but it may be necessary to exercise them at some future date. In Northern Ireland the Health Services are restricted to persons ordinarily resident in the country except where regulations are made to extend the Services to others. For these reasons, the Government of the United Kingdom, while prepared in the future, as in the past, to give the most sympathetic consideration to the situation of stateless persons, find it necessary to make reservation to sub-paragraph (b) of Article 24.

"No arrangements exist in the United Kingdom for the administrative assistance for which provision is made in Article 25 nor have any such arrangements been found necessary in the case of stateless persons. Any need for the documents or certifications mentioned in paragraph 2 of that Article would be met by affidavit."

Zambia 13

"Article 22 (1):

The Government of the Republic of Zambia considers paragraph 1 of article 22 to be a recommendation only, and not a binding obligation to accord to stateless persons national treatment with respect to elementary education; "Article 26:

The Government of the Republic of Zambia reserves the right under article 26 to designate a place or places of residence for stateless persons;

"Article 28: The Government of the Republic of Zambia does not consider itself bound under article 28 to issue a travel document with a return clause in cases where a country of second asylum has accepted or indicated its willingness to accept a stateless person from Zambia;

"Article 31: "The Government of the Republic of Zambia shall not undertake under article 31 to grant treatment more favourable than that accorded to aliens generally with respect to expulsion."

Territorial Application to the Convention relating to the Status of Stateless Persons

Participant	Date of receipt notification	Territories		
France	8 Mar 1969	Departments of Algeria, of the Oases and of Saoura, Guadeloupe, Martinique and Guiana and the five Overseas Territories (New Caledonia and Dependencies, French Polynesia, French Somaliland, the Comoro Archipelago and the Islands of St. Pierre and Miquelon)		
Netherlands 14	12 Apr 1962	Surinam and Netherlands New Guinea		
United Kingdom 2, 6, 15, 16, 17, 18, 19,	16 Apr 1959	The Channel Islands and the Isle of Man		
	7 Dec 1959	High Commission Territories of Basutoland, Bechuanaland Protectorate and Swaziland Kingdom(cont'd)	9 Dec 1959	Federation of Rhodesia and Nyasaland
	19 Mar 1962	Aden Colony, Bermuda, Malta, Sarawak, Seychelles, St. Helena, Uganda, Virgin Islands and Zanzibar, British Guiana, British Honduras, British Solomon Islands Protectorate, Falkland Islands, Fiji, Gambia, Gilbert and Ellice Islands, Hong Kong, Kenya, Mauritius, North Borneo, State of Singapore and the West Indies		

Declarations and reservations made upon notification of territorial application to the Convention relating to the Status of Stateless Persons

United Kingdom of Great Britain and Northern Ireland 2, 6, 15, 16, 17, 18, 19

Channel Islands and Isle of Man

"(i) The Government of the United Kingdom of Great Britain and Northern Ireland understand Articles 8 and 9 as not preventing the taking in the Isle of Man and in the Channel Islands, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a stateless person on the ground of his former nationality. The provisions of Article 8 shall not prevent the Government of the United Kingdom of Great Britain and Northern Ireland from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of Article 8 shall not affect the treatment to be accorded to any property or interests which, at the date of entry into force of this Convention for the Isle of Man and the Channel Islands, are under the control of the Government of the United Kingdom of Great Britain and Northern Ireland by reason of a state of war which exists or existed between them and any other State.

"(ii) The Government of the United Kingdom of Great Britain and Northern Ireland can only undertake that the provisions of sub-paragraph (b) of paragraph 1 of Article 24 and of paragraph 2 of that Article will be applied in the Channel Islands so far as the law allows, and that the provisions of that sub-paragraph, in respect of such matters referred to therein as fall within the scope of the Isle of Man Health Service, will be applied in the Isle of Man so far as the law allows. "(iii) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the Isle of Man and the Channel Islands to paragraphs 1 and 2 of Article 25 and can only undertake that the provisions of paragraph 3 will be applied in the Isle of Man and the Channel Islands so far as the law allows."

High Commission Territories of Basutoland, Bechuanaland Protectorate and Souaziland

[Same reservations, in essence, as those made for the Channel Islands and the Isle of Man, under Nos. (i) and (iii).]

Federation of Rhodesia and Nyasaland

[Same reservations, in essence, as those made for the Channel Islands and the Isle of Man, under No. (iii).]

British Guiana, British Solomon Islands Protectorate, Falkland Islands, Gambia, Gilbert and Ellice Islands, Kenya, Mauritius

[Same reservations, in essence, as those made for the Channel Islands and the Isle of Man, under Nos. (i) and (iii).]

British Honduras, Hong Kong

[Same reservations, in essence, as those made for the Channel Islands and the Isle of Man, under Nos. (i) and (iii).]

North Borneo

[Same reservations, in essence, as those made for the Channel Islands and the Isle of Man.]

Fiji

(i) The Government of the United Kingdom of Great Britain and Northern Ireland understand articles 8

and 9 as not preventing the taking in Fiji, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a stateless person on the ground of his former nationality.

(ii) The Government of the United Kingdom of Great Britain and Northern Ireland, in respect of the provisions of sub-paragraph (b) of paragraph 1 of article 24, can only undertake that effect will be given in Fiji to the provisions of that paragraph so far as the law allows.

(iii) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in Fiji to paragraphs 1 and 2 of article 25 and can only undertake that the provisions of paragraph 3 will be applied in Fiji so far as the law allows.

The State of Singapore

(i) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the State of Singapore to article 23.

The West Indies

(i) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the West Indies to articles 8, 9, 23, 24, 25, 26 and 31.