



Recommendation 269 (1960)¹

Hague Convention to Regulate Conflicts between the Law of the Nationality and the Law of the Domicile

Parliamentary Assembly

The Assembly,

Whereas the Hague Conference on Private International Law, at its Seventh Session held in October 1951, drafted a Convention to Regulate Conflicts between the Law of the Nationality and the Law of the Domicile;

Whereas this Convention was, on 15th June 1955, opened for signature by the States represented at this Seventh Session, these including all member States of the Council of Europe with the exception of Greece, Iceland, Ireland and Turkey;

Considering that the purpose of this Convention is to eliminate conflicts in cases where, for the determination of the personal law, one State applies the law of nationality and another the law of domicile;

Considering that this Convention, if ratified, would greatly contribute to ensuring uniformity of decisions and thus to the effective administration of justice;

Having regard to the fact that only four member States of the Council of Europe (Belgium, France, Luxembourg and the Netherlands) have, so far, signed this Convention;

Having noted the contents of the Report of its Legal Committee ([Doc. 1219](#)); and expressing the hope that the United Kingdom may find it possible to bring its law on domicile more nearly into line with that of the civil law countries and thus contribute to the avoidance of conflicts between the law of nationality and the law of domicile,

Recommends that the Committee of Ministers :

1. should, in accordance with Article 15 (b) of the Statute, recommend that member Governments which were represented at the Seventh Session of the Hague Conference, and have not already done so, should sign and ratify the Convention to Regulate Conflicts between the Law of the Nationality and the Law of the Domicile;
2. should, in accordance with Article 15 (b) of the Statute, recommend that member Governments which were not represented at the Seventh Session of the Hague Conference, should accede thereto;
3. should, in accordance with Article 19 of the Statute, inform the Assembly in due course of the action taken on this Recommendation; and, if it is not wholly acceptable to the Committee of Ministers, the Committee should refer it back to the Assembly for further consideration with a statement of its reasons, in accordance with Article 15 of the Rules of Procedure of the Committee of Ministers.

1. Assembly debate on 29th September 1960 (20th Sitting) (see [Doc. 1219](#), Report of the Legal Committee). Text adopted by the Assembly on 29th September 1960 (20th Sitting).

