Recommendation 519 (1968)[1]

Nationality of married women

Parliamentary Assembly

The Assembly,

1. Having regard to Order No. 253 adopted on 26th January 1967 ;

2. Considering that the unification of legislations on nationality cannot be achieved in the near future ;

3. Considering, however, that it seems desirable to give to a woman who marries a man of a different nationality freedom to decide whether she wishes to acquire the nationality of her husband or not ;

4. Considering that this aim can be achieved by accession to the United Nations Convention of 29th January 1957 ;

5. Considering that this Convention has been ratified by several member States of the Council of Europe and that the legislation of several other member States is compatible with the provisions of the Convention ;

6. Considering, however, that the freedom of choice of the wife can also be ensured by other provisions than those of the Convention of 29th January 1957 ;

7. Considering, nevertheless, that it would not be in accordance with a good policy for the harmonisation of law to juxtapose the United Nations Convention of 29th January 1957 and another Convention of the Council of Europe on the same subject, seeking to achieve the same aim by slightly different means,

8. Recommends that the Committee of Ministers :

   8.1. invite the member States of the Council of Europe to sign and ratify the United Nations Convention of 29th January 1957 on the nationality of married women ;

   8.2. suggest to those member States which do not feel able to adhere to that Convention that they should modify their national legislation in order to grant to a foreign woman who marries one of their nationals full freedom to decide whether she wishes to acquire the nationality of her husband or not.

1. Assembly Debate on 2nd February 1968 (20th Sitting) (see Doc. 2330Doc. 2330, report of the Legal Committee). Text adopted by the Assembly on 2nd February 1968 (20th Sitting).