



## Recommendation 696 (1973)<sup>1</sup>

# Certain aspects of the acquisition of nationality

Parliamentary Assembly

The Assembly,

1. Reaffirming its keen interest in problems of nationality and their adequate solution in member States ;
2. Recalling the Universal Declaration of Human Rights according to which every individual has the right to a nationality, and emphasising the importance of an effective nationality for the individual's protection and for the exercise of his personal rights and freedoms ;
3. Welcoming the amendments which, in recent years, member States have made in their nationality legislation, in particular those aiming to reduce statelessness and those granting an option to a woman marrying a foreigner to keep her own nationality ;
4. Expressing the hope that, in accordance with its [Recommendation 519 \(1968\)](#), all member States will accede to the United Nations Convention on the Nationality of Married Women of 20 February 1957 ;
5. Fully supporting the European Convention on the Reduction of Cases of Multiple Nationality and on Military Obligations in Cases of Multiple Nationality of 1963 and the United Nations Convention on the Reduction of Statelessness of 30 August 1961, and expressing the wish that all member States become parties to these conventions ;
6. Considering that, in addition to legal provisions concerning de jure statelessness, adequate measures require to be taken for those who have no effective nationality, i.e. who are stateless de facto (refugees) ;
7. Recalling its [Recommendation 564 \(1969\)](#) which emphasises the importance of speedy acquisition of new nationality at minimum cost for a large number of refugees in the member States of the Council of Europe ;
8. Considering that nationality problems resulting from mixed marriages, i.e. marriages in which the spouses do not have the same nationality, require an adequate solution, and that legislation could be improved in this respect ;
9. Considering that problems also arise in respect of the nationality of children born out of mixed marriages ;
10. Considering that it may be desirable, under certain conditions and to a certain extent, to leave it to husband and wife to determine which of their two nationalities they want to have for themselves and for their children,
11. Recommends that the Committee of Ministers :
  - a. invite those Council of Europe member States which have not yet done so to become parties :

*to the European Convention on the Reduction of Cases of Multiple Nationality and on Military Obligations in Cases of Multiple Nationality of 1963 ;*

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1. Assembly debate on 24 January 1973 (23rd Sitting) (see [Doc. 3159](#), report of the Legal Affairs Committee). Text adopted by the Assembly on 24 January 1973 (23rd Sitting).



*to the United Nations Convention on the Nationality of Married Women of 20 February 1957 ;*

*to the United Nations Convention on the Reduction of Statelessness of 30 August 1961 ;*

- b. invite those member States which have not yet done so to introduce provisions whereby, in the case of de facto statelessness (ineffective nationality), the absence of an authorisation required under the national law of another State would cease to be an obstacle to naturalisation in member States after a given period ;
- c. invite member States where such provisions do not yet exist to grant their nationality to a child born of a mother of their nationality in or outside their territory if the child would otherwise be stateless ;
- d. instruct the European Committee on Legal Co-operation (CCJ) to study :

*the possibility of granting to spouses of different nationality the right to decide whether they wish to acquire the nationality of either husband or wife ;*

*the question of the nationality of children born out of mixed marriages and the possibility of drawing up a European convention in this field.*