



**Doc. 450**

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## Statelessness

### Motion for a recommendation

tabled by the Committee on Legal Affairs and Human Rights

#### Draft Recommendation<sup>1</sup>

The Assembly,

Having considered the report of the Committee on Legal and Administrative Questions appended hereto;

Considering that a Conference on the status of stateless persons was convened by the United Nations and held in New York in September, 1954, for the purpose of preparing a Convention on present cases of statelessness ;

Having noted with satisfaction that this Conference led to the conclusion of a " Convention relating to the Status of Stateless Persons ", which was adopted on 28th September, 1954 and is open to signature by States at the Headquarters of the United Nations;

Considering that this Convention has already been signed by certain Member States of the Council of Europe but not by all, and that it has not yet been ratified ;

Considering, moreover, that the General Assembly of the United Nations has adopted a Resolution (896 (IX) ) for the convening of an " international conference of plenipotentiaries... to conclude a Convention for the reduction or elimination of future statelessness as soon as at least twenty States have communicated to the Secretary-General their willingness to co-operate in such a Conference ";

Considering that only some of the Member States of the Council have agreed to the convening of the Conference mentioned above;

Considering that it is of the greatest importance that the Convention relating to the Status of Stateless Persons should be signed and ratified without delay and that the international conference of plenipotentiaries should be held as soon as possible,

Recommends to the Committee of Ministers that they should invite the Governments of Member States of the Council of Europe :

1. to sign and ratify without delay the Convention relating to the Status of Stateless Persons adopted on 28th September, 1955 by the United Nations' Conference held in New York;
2. to agree as soon as possible, in conformity with Resolution 896 (IX) of the General Assembly of the United Nations, to the convening of the international conference of plenipotentiaries, with a view to the conclusion of a Convention for the reduction or elimination of future statelessness;
3. to inform the Assembly at the beginning of its next Session of the measures taken by the Governments in this respect.

Report of the Committee on Legal and Administrative Questions

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1. See 24th Sitting, 25th October, 1955 (Draft Recommendation adopted) and Recommendation 87.



1. In May, 1954, the Assembly decided to place on its agenda the question of " the possibility of concluding a European Convention on statelessness and multiple nationality " (*Doc. 236*), which was referred to your Committee on Legal and Administrative Questions for a report.

2. Your Committee has given careful consideration to the work done in this field under the auspices of the League of Nations and also, more recently, in the United Nations.

3. It is recalled that four international instruments were concluded within the framework of the League of Nations on the subject of statelessness and multiple nationality. These were : the Convention on certain questions relating to the conflict of nationality laws, the Protocol relating to a certain case of statelessness, the Protocol relating to military obligations in certain cases of dual nationality, and the Special Protocol concerning statelessness. All these instruments were signed at The Hague on 12th April, 1930, and came into force in 1937, with the exception of the last-named Protocol, which was not ratified by a sufficient number of States for it to come into force.

4. No ratification of these agreements has taken place since 1937. Moreover, your Committee took the view that the results obtained at The Hague were somewhat limited and in any case were not adequate to meet present-day conditions.

For the same reasons the United Nations decided soon after the organisation was set up to examine this problem in detail. They studied more particularly the problem of statelessness, both present cases and cases that will arise in future. As regards multiple nationality, the competent body of the United Nations, the International Law Commission, met with obstacles which would, the Commission felt, be difficult to overcome, and, accordingly, it was decided to postpone consideration of this question.

5. In view of the work already done in the United Nations, and being anxious to avoid duplication, your Committee has decided to refrain, for the time being at any rate, from dealing with the problem of statelessness, but it is following closely all activities in this field.

The work of the United Nations has taken a more concrete form in recent months. A " United Nations Conference on the status of stateless persons " was held in New York in September, 1954 and prepared a draft Convention relating to the Status of Stateless Persons which was adopted and is now open to signature by States at the Headquarters of the United Nations. The text of this Convention is appended to this Report. The Convention deals with present cases of statelessness, and by reproducing almost in its entirety the Convention on the status of refugees of 25th July, 1951 (which is already in force and has been ratified by the majority of Member States of the Council of Europe) extends to a new category of persons the benefits hitherto granted only to refugees. This is strictly fair, since in practice the position of these persons is often similar to that of refugees, and is sometimes brought about by the same circumstances.

6. The Convention relating to the Status of Stateless Persons has so far been signed by the following 21 countries : Belgium, Brazil, Colombia, Costa Rica, Denmark, Ecuador, France, Federal Republic of Germany, Guatemala, Honduras, Israël, Italy, Liechtenstein, Netherlands, Norway, Philippines, Salvador, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, and the Vatican City (Member States of the Council are printed in italics). No State, however, has so far ratified this Convention.

7. As regards future statelessness, the International Law Commission of the United Nations has prepared two alternative draft Conventions, one of which, rather ambitiously perhaps, aims at the complete elimination of statelessness in the future, while the other, more modest, aims only at reducing the number of cases of future statelessness.

Both drafts have been submitted to the General Assembly of the United Nations which, on the proposal of its Sixth Committee, has decided to convene an international conference of plenipotentiaries to conclude a Convention as soon as at least 20 States have communicated to the Secretary-General of the United Nations their willingness to take part in such a conference.

The following thirteen States have so far agreed to do so : Belgium, Denmark, France, Federal Republic of Germany, Israël, Lebanon, Monaco, Netherlands, Salvador, Spain, Sweden, Switzerland and Yugoslavia (Member States of the Council of Europe are printed in italics).

8. Thus, it appears that further progress has been made, and your Committee considers that the United Nations should be supported and encouraged in this task, which has not only a legal but also social and humanitarian aspects. Your Committee feels that it is most important for the Convention relating to the Status of Stateless Persons, of 28th September, 1954, to be signed and ratified without delay, and for the international conference of plenipotentiaries to be held as soon as possible.

9. This Report was considered by the Committee on Legal and Administrative Questions on 22nd October, 1955. It was adopted unanimously.

## **Appendix UNITED NATIONS CONFERENCE ON THE STATUS OF STATELESS PERSONS**

Convention relating to the Status of Stateless Persons New York, 28th September, 1954.

### PREAMBLE

The High Contracting Parties,

Considering that the Charter of the United Nations and the Universal Declaration of Human Rights approved on 10th 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 28th 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 :
  - 2.1. 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;
  - 2.2. 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;
  - 2.3. 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 instrument 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 purposes 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

##### *Bigths granted apart from this Convention*

Nothing in this Convention shall he 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 tins Convention does not provide.

#### ARTICLE 8

##### *Exemption from exceptional measures*

With regard to exceptional measures which may be taken against the person, properly 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 his 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 members of a crew on board a ship flying the flag of a Contracting State, the State shall give sympathetic consideration to their establishment on 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 *cautio judicalum 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 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, 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 the 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 :
  1. There may be appropriate arrangements for the maintenance of acquired rights and rights in course of acquisition;
  2. 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 to 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 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 of 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 purposes 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 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 a 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 31st 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.

## **SCHEDULE**

### *Paragraph 1*

1. The travel document referred to in Article 28 of this Convention shall indicate that the holder is a stateless person under the terms of the Convention of 28th September, 1954.
2. The document shall be made out in at least two languages, one of which shall be English or French.
3. The Contracting States will consider the desirability of adopting the model travel document attached hereto.

*Paragraph 2*

Subject to the regulations obtaining in the country of issue, children may be included in the travel document of a parent or, in exceptional circumstances, of another adult.

*Paragraph 3*

The fees charged for issue of the document shall not exceed the lowest scale of charges for national passports.

*Paragraph 4*

Save in special or exceptional cases, the document shall be made valid for the largest possible number of countries.

*Paragraph 5*

The document shall have a validity of not less than three months and not more than two years.

*Paragraph 6*

1. The renewal or extension of the validity of the document is a matter for the authority which issued it, so long as the holder has not established lawful residence in another territory and resides lawfully in the territory of the said authority. The issue of a new document is, under the same conditions, a matter for the authority which issued the former document.
2. Diplomatic or consular authorities may be authorized to extend, for a period not exceeding six months, the validity of travel documents issued by their Governments.
3. The Contracting States shall give sympathetic consideration to renewing or extending the validity of travel documents or issuing new documents to stateless persons no longer lawfully resident in their territory who are unable to obtain a travel document from the country of their lawful residence.

*Paragraph 7*

The Contracting States shall recognize the validity of the documents issued in accordance with the provisions of article 28 of this Convention.

*Paragraph 8*

The competent authorities of the country to which the stateless person desires to proceed shall, if they are prepared to admit him and if a visa is required, affix a visa on the document of which he is the holder.

*Paragraph 9*

1. The Contracting States undertake to issue transit visas to stateless persons who have obtained visas for a territory of final destination.
  2. The issue of such visas may be refused on grounds which would justify refusal of a visa to any alien.
- Paragraph 10 The fees for the issue of exit, entry or transit visas shall not exceed the lowest scale of charges for visas on foreign passports.

*Paragraph 11*

When a stateless person has lawfully taken up residence in the territory of another Contracting State, the responsibility for the issue of a new document, under the terms and conditions of Article 28, shall be that of the competent authority of that territory, to which the stateless person shall be entitled to apply.

*Paragraph 12*

The authority issuing a new document shall withdraw the old document and shall return it to the country of issue if it is stated in the document that it should be so returned; otherwise it shall withdraw and cancel the document.

*Paragraph 13*

1. A travel document issued in accordance with Article 28 of this Convention shall, unless it contains a statement to the contrary, entitle the holder to re-enter the territory of the issuing State at any time during the period of its validity. In any case the period during which the holder may return to the country issuing the document shall not be less than three months, except when the country to which the stateless person proposes to travel does not insist on the travel document according the right of re-entry.

2. Subject to the provisions of the preceding sub-paragraph, a Contracting State may require the holder of the document to comply with such formalities as may be prescribed in regard to exit from or return to its territory.

*Paragraph 14*

Subject only to the terms of paragraph 13, the provisions of this Schedule in no way affect the laws and regulations governing the conditions of admission to, transit through, residence and establishment in, and departure from, the territories of the Contracting States.

*Paragraph 15*

Neither the issue of the document nor the entries made thereon determine or affect the status of the holder, particularly as regards nationality.

*Paragraph 16*

The issue of the document does not in any way entitle the holder to the protection of the diplomatic or consular authorities of the country of issue, and does not ipso facto confer on these authorities a right of protection.

**MODEL TRAVEL DOCUMENT**

It is recommended that the document be in booklet form (approximately 15 X 10 centimetres), that it be so printed that any erasure or alteration by chemical or other means can be readily detected, and that the words " Convention of 28th September, 1954 " be printed in continuous repetition on each page, in the language of the issuing country.

**(Cover of booklet) - TRAVEL DOCUMENT - (Convention of 28th September, 1954)**

No

(1)

TRAVEL DOCUMENT (Convention of 28th September, 1954)

This document expires on

unless its validity is extended or renewed

Name

Forename (s)

Accompanied by child (children).

1. This document is issued solely with a view to providing the holder with a travel document which can serve in lieu of a national passport. It is without prejudice to and in no way affects the holder's nationality.

2. The holder is authorized to return to [state bore the country whose authorities aro issuing the document] on or before unless some later date is hereafter specified. [The period during which the holder is allowed to return must not be less than three months except when the country to which the holder proposes to travel does not insist on the travel document according the right of re-entry.]

3. Should the holder take up residence in a country other than that which issued the present document, ho must, if he wishes to travel again, apply to the competent authorities of his country of residence for a new document. [The old travel document shall be withdrawn by the authority issuing the new document and returned to the authority -which issued it.]<sup>2</sup>

(This document contains 32 pages, exclusive of cover.)

(2)

Place and date of birth

Occupation

Present residence

<sup>3</sup>Maiden name and forename (s) of -wife...

<sup>4</sup>Name and forename (s) of husband

Description

Height

Hair

Colour of eyes

Nose

Shape of face

Complexion

Special peculiarities

Children accompanying holder

Name - Forename (s) - Place and date of birth - Sex

(This document contains 32 pages, exclusive of cover),

(3)

Photograph of holder and stamp of issuing authority

Finger-prints of holder (if required)

Signature of holder

(This document contains 32 pages, exclusive of cover.) (4)

1. This document is valid for the following countries :

2. Document or documents on the basis of which the present document is issued :

Issued at

Date

Signature and stamp of authority issuing the document :

\_\_\_\_\_

2. The sentence in brackets to be inserted by Governments which so desire.
3. Strike out whichever does not apply.
4. Strike out whichever does not apply.

Fee paid :

(This document contains 32 pages, exclusive of cover.)

(5)

Extension or renewal of validity

Fee paid : - From

To

Done at - Date

Signature and stamp of authority extending or renewing the validity of the document :

Extension or renewal of validity

Fee paid : - From

To

Done at - Date

Signature and stamp of authority extending or renewing the validity of the document :

(This document contains 32 pages, exclusive of cover.)

(6)

Extension or renewal of validity

Fee paid : - From

To

Done at - Date

Signature and stamp of authority extending or renewing the validity of the document :

Extension or renewal of validity

Fee paid : - From

To

Done at - Date

Signature and stamp of authority extending or renewing the validity of the document :

(This document contains 32 pages, exclusive of cover.)

(7-32)

Visas

The name of the holder of the document must be repeated in each visa.

(This document contains 32 pages, exclusive of cover.)