

CONVENTION RELATING TO THE STATUS OF REFUGEES

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 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 refugees and endeavoured to assure refugees the widest possible exercise of these fundamental rights and freedoms,

CONSIDERING that it is desirable to revise and consolidate previous international agreements relating to the status of refugees and to extend the scope of and protection accorded by such instruments by means of a new agreement,

CONSIDERING that the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international co-operation,

EXPRESSING the wish that all States, recognizing the social and humanitarian nature of the problem of refugees, will do everything within their power to prevent this problem from becoming a cause of tension between States,

NOTING that the United Nations High Commissioner for Refugees is charged with the task of supervising international conventions providing for the protection of refugees, and recognizing that the effective co-ordination of measures taken to deal with this problem will depend upon the co-operation of States with the High Commissioner,

HAVE AGREED as follows:



CHAPTER I: General Provisions

Article 1

DEFINITION OF THE TERM "REFUGEE"

A. For the purposes of the present Convention, the term "refugee" shall apply to any person who:

- (1) Has been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

Decisions of non-eligibility taken by the International Refugee Organization during the period of its activities shall not prevent the status of refugee being accorded to persons who fulfil the conditions of paragraph 2 of this section;

- (2) As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

In the case of a person who has more than one nationality, the term "the country of his nationality" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

B. (1) For the purposes of this Convention, the words "events occurring



before 1 January 1951” in article 1, section A, shall be understood to mean either

- (a) “events occurring in Europe before 1 January 1951”; or
- (b) “events occurring in Europe or elsewhere before 1 January 1951”, and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meanings it applies for the purpose of its obligations under this Convention.

(2) Any Contracting State which has adopted alternative (a) may at any time extend its obligations by adopting alternative (b) by means of a notification addressed to the Secretary-General of the United Nations.

C. This Convention shall cease to apply to any person falling under the terms of section A if:

- (1) He has voluntarily re-availed himself of the protection of the country of his nationality; or
- (2) Having lost his nationality, he has voluntarily re-acquired it, or
- (3) He has acquired a new nationality, and enjoys the protection of the country of his new nationality; or
- (4) He has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or
- (5) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality;

Provided that this paragraph shall not apply to a refugee falling under section A(1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to avail himself of the protection of the country of nationality;

- (6) Being a person who has no nationality he is, because of the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, able to return to the country of his former habitual residence;

Provided that this paragraph shall not apply to a refugee falling



under section A (1) of this article who is able to invoke compelling reasons arising out of previous persecution for refusing to return to the country of his former habitual residence.

D. This Convention shall not apply 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.

When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall *ipso facto* be entitled to the benefits of this Convention.

E. This Convention shall not apply to a person who is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country.

F. The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that:

- (a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;
- (b) he has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;
- (c) he has been guilty of acts contrary to the purposes and principles of the United Nations.

Article 2

GENERAL OBLIGATIONS

Every refugee 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 refugees without discrimination as to race, religion or country of origin.

Article 4

RELIGION

The Contracting States shall accord to refugees within their territories treatment at least as favourable as that accorded to their nationals with respect to freedom to practice 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 refugees apart from this Convention.

Article 6

THE TERM "IN THE SAME CIRCUMSTANCES"

For the purposes 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 refugee, must be fulfilled by him, with the exception of requirements which by their nature a refugee is incapable of fulfilling.

Article 7

EXEMPTION FROM RECIPROCITY

1. Except where this Convention contains more favourable provisions, a Contracting State shall accord to refugees the same treatment as is ac-



corded to aliens generally.

2. After a period of three years' residence, all refugees shall enjoy exemption from legislative reciprocity in the territory of the Contracting States.

3. Each Contracting State shall continue to accord to refugees 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 refugees, 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 refugees 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 of a foreign State, the Contracting States shall not apply such measures to a refugee who is formally a national of the said State solely on account of such nationality. 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 refugees.

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 refugee 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 refugee 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 refugee 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

REFUGEE SEAMEN

In the case of refugees 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 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 refugee 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 refugee 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 a refugee.

Article 13

MOVABLE AND IMMOVABLE PROPERTY

The Contracting States shall accord to a refugee 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 refugee 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 refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country, in the same circumstances.

Article 16

ACCESS TO COURTS

1. A refugee shall have free access to the courts of law on the territory of all Contracting States.
2. A refugee 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 judicatum solvi*.
3. A refugee 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 State shall accord to refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances, as regards the right to engage in wage-earning employment.
2. In any case, restrictive measures imposed on aliens or the employment of aliens for the protection of the national labour market shall not be applied to a refugee who was already exempt from them at the date of entry into force of this Convention for the Contracting State concerned, or who fulfils one of the following conditions:
 - (a) He has completed three years' residence in the country;
 - (b) He has a spouse possessing the nationality of the country of residence. A refugee may not invoke the benefits of this provision if he has abandoned his spouse;
 - (c) He has one or more children possessing the nationality of the country of residence.
3. The Contracting States shall give sympathetic consideration to assimilating the rights of all refugees with regard to wage-earning employment to those of nationals, and in particular of those refugees 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 refugee 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 circum-



stances, 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

1. Each Contracting State shall accord to refugees lawfully staying in their territory who hold diplomas recognized by the competent authorities of that State, and who are desirous of practicing 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.
2. The Contracting States shall use their best endeavours consistently with their laws and constitutions to secure the settlement of such refugees in the territories, other than the metropolitan territory, for whose international relations they are responsible.



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, refugees 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 refugees 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 refugees the same treatment as is accorded to nationals with respect to elementary education.
2. The Contracting States shall accord to refugees 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 refugees 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 refugees 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:
 - (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 refugee 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 refugees 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 ex-



tending to refugees 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 refugee would normally require the assistance of authorities of a foreign country to whom he cannot have recourse, the Contracting States in whose territory he is residing shall arrange that such assistance be afforded to him by their own authorities or by an international authority.
2. The authority or authorities mentioned in paragraph 1 shall deliver or cause to be delivered under their supervision to refugees 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 refugees lawfully in its territory the right to choose their place of residence 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 refugee in their territory who does not possess a valid travel document.

Article 28

TRAVEL DOCUMENTS

1. The Contracting States shall issue to refugees 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 refugee in their territory; they shall in particular give sympathetic consideration to the issue of such a travel document to refugees in their territory who are unable to obtain a travel document from the country of their lawful residence.
2. Travel documents issued to refugees under previous international agreements by parties thereto shall be recognized and treated by the Contracting States in the same way as if they had been issued pursuant to this article.

Article 29

FISCAL CHARGES

1. The Contracting States shall not impose upon refugees 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 refugees 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 refugees 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 refugees 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

REFUGEES UNLAWFULLY IN THE COUNTRY OF REFUGE

1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.
2. The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

Article 32

EXPULSION

1. The Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.
2. The expulsion of such a refugee 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 refugee



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 refugee 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 33

PROHIBITION OF EXPULSION OR RETURN ("REFOULEMENT")

1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.

Article 34

NATURALIZATION

The Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. 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: Executory and Transitory Provisions

Article 35

CO-OPERATION OF THE NATIONAL AUTHORITIES WITH THE UNITED NATIONS

1. The Contracting States undertake to co-operate with the Office of the United Nations High Commissioner for Refugees, or any other agency of the United Nations which may succeed it, in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of this Convention.
2. In order to enable the Office of the High Commissioner or any other agency of the United Nations which may succeed it, to make reports to the competent organs of the United Nations, the Contracting States undertake to provide them in the appropriate form with information and statistical data requested concerning:
 - (a) the condition of refugees,
 - (b) the implementation of this Convention, and
 - (c) laws, regulations and decrees which are, or may hereafter be, in force relating to refugees.

Article 36

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 37

RELATION TO PREVIOUS CONVENTIONS

Without prejudice to article 28, paragraph 2, of this Convention, this Convention replaces, as between parties to it, the Arrangements of 5 July 1922, 31 May 1924, 12 May 1926, 30 June 1928 and 30 July 1935, the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 and the Agreement of 15 October 1946.



CHAPTER VII: Final Clauses

Article 38

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 39

SIGNATURE, RATIFICATION AND ACCESSION

1. This Convention shall be opened for signature at Geneva on 28 July 1951 and shall thereafter be deposited with the Secretary-General of the United Nations. It shall be open for signature at the European Office of the United Nations from 28 July to 31 August 1951 and shall be re-opened for signature at the Headquarters of the United Nations from 17 September 1951 to 31 December 1952.
2. This Convention shall be open for signature on behalf of all States Members of the United Nations, and also on behalf of any other State invited to attend the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons or to which an invitation to sign will have been addressed by the General Assembly. It shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.
3. This Convention shall be open from 28 July 1951 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 40

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 41

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 42

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), 33, 36-46 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 43

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 or ratification or accession.

Article 44

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 40 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 45

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 46

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 39:

- (a) Of declarations and notifications in accordance with section B of article 1;
- (b) Of signatures, ratifications and accessions in accordance with article 39;
- (c) Of declarations and notifications in accordance with article 40;
- (d) Of reservations and withdrawals in accordance with article 42;
- (e) Of the date on which this Convention will come into force in accordance with article 43;
- (f) Of denunciations and notifications in accordance with article 44;
- (g) Of requests for revision in accordance with article 45.



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

DONE at Geneva, this twenty-eighth day of July, one thousand nine hundred and fifty-one, in a single copy, of which the English and French 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 39.



SCHEDULE

Paragraph 1

1. The travel document referred to in article 28 of this Convention shall be similar to the specimen annexed hereto.
2. The document shall be made out in at least two languages, one of which shall be English or French.

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 refugee.

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 either one or two years, at the discretion of the issuing authority.



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, specially authorized for the purpose, shall be empowered 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 refugees 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 refugee 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 refugees 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 refugee 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 refugee 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. Each Contracting State undertakes that the holder of a travel document issued by it in accordance with article 28 of this Convention shall be re-admitted to its territory at any time during the period of its validity.
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.
3. The Contracting States reserve the right, in exceptional cases, or in cases where the refugee's stay is authorized for a specific period, when issuing the document, to limit the period during which the refugee may return to a period of not less than three months.



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 confer on these authorities a right of protection.



ANNEX
SPECIMEN TRAVEL DOCUMENT

The document will be in booklet form (approximately 15 x 10 centimetres). It is recommended 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 28 July 1951" be printed in continuous repetition on each page, in the language of the issuing country.

(Cover of booklet)
TRAVEL DOCUMENT
(Convention of 28 July 1951)

N°.

(1)

TRAVEL DOCUMENT
(Convention of 28 July 1951)

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 here the country whose authorities are 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.]
3. Should the holder take up residence in a country other than that which issued the present document, he 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.]⁽¹⁾

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

(2)

Place and date of birth

Occupation

Present residence

*Maiden name and forename(s) of wife

.....

*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
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*Strike out whichever does not apply

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(1) The sentence in brackets to be inserted by Governments which so desire.



(3)

Photograph of holder and stamp of issuing authority
Finger-prints of holder (if required)

Signature of holder

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(4)

1. This document is valid for the following countries:

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Date

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States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol

Date of entry into force:
22 April 1954 (Convention)
4 October 1967 (Protocol)

As of 1 November 2007

Total number of States Parties to the 1951 Convention:	144
Total number of States Parties to the 1967 Protocol:	144
States Parties to both the Convention and Protocol:	141
States Parties to one or both of these instruments:	147

States Parties to the 1951 Convention only:

Madagascar, Monaco, Saint Kitts and Nevis

States Parties to the 1967 Protocol only:

Cape Verde, United States of America, Venezuela

The Convention was adopted by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons, held at Geneva from 2 to 25 July 1951. The Conference was convened pursuant to resolution 429 (V), adopted by the General Assembly of the United Nations on 14 December 1950.

The dates indicated are the dates of deposit of the instrument of ratification or accession by the respective States Parties with the Secretary-General of the United Nations in New York. In accordance with article 43(2), the Convention enters into force on the ninetieth day after the date of deposit. The Protocol enters into force on the date of deposit (article VIII (2)). Exceptions are indicated below.

Most recent ratification:

Montenegro	10 Oct 2006 d	10 Oct 2006 d
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Country	Convention	Protocol
Afghanistan	30 Aug 2005 a	30 Aug 2005 a
Albania	18 Aug 1992 a	18 Aug 1992 a
Algeria	21 Feb 1963 d	08 Nov 1967 a
Angola	23 Jun 1981 a	23 Jun 1981 a
Antigua and Barbuda	07 Sep 1995 a	07 Sep 1995 a
Argentina	15 Nov 1961 a	06 Dec 1967 a
Armenia	06 Jul 1993 a	06 Jul 1993 a
Australia	22 Jan 1954 a	13 Dec 1973 a
Austria	01 Nov 1954 r	05 Sep 1973 a
Azerbaijan	12 Feb 1993 a	12 Feb 1993 a



Bahamas	15 Sep 1993 a	15 Sep 1993 a
Belarus	23 Aug 2001 a	23 Aug 2001 a
Belgium	22 Jul 1953 r	08 Apr 1969 a
Belize	27 Jun 1990 a	27 Jun 1990 a
Benin	04 Apr 1962 d	06 Jul 1970 a
Bolivia	09 Feb 1982 a	09 Feb 1982 a
Bosnia and Herzegovina	01 Sep 1993 d	01 Sep 1993 d
Botswana	06 Jan 1969 a	06 Jan 1969 a
Brazil	16 Nov 1960 r	07 Apr 1972 a
Bulgaria	12 May 1993 a	12 May 1993 a
Burkina Faso	18 Jun 1980 a	18 Jun 1980 a
Burundi	19 Jul 1963 a	15 Mar 1971 a
Cambodia	15 Oct 1992 a	15 Oct 1992 a
Cameroon	23 Oct 1961 d	19 Sep 1967 a
Canada	04 Jun 1969 a	04 Jun 1969 a
Cape Verde (P)		09 Jul 1987 a
Central African Republic	04 Sep 1962 d	30 Aug 1967 a
Chad	19 Aug 1981 a	19 Aug 1981 a
Chile	28 Jan 1972 a	27 Apr 1972 a
China	24 Sep 1982 a	24 Sep 1982 a
Colombia	10 Oct 1961 r	04 Mar 1980 a
Congo	15 Oct 1962 d	10 Jul 1970 a
Congo, Democratic Republic of	19 July 1965 a	13 Jan 1975 a
Costa Rica	28 Mar 1978 a	28 Mar 1978 a
Côte d'Ivoire	08 Dec 1961 d	16 Feb 1970 a
Croatia	12 Oct 1992 d	12 Oct 1992 d
Cyprus	16 May 1963 d	09 Jul 1968 a
Czech Republic	11 May 1993 d	11 May 1993 d
Denmark	04 Dec 1952 r	29 Jan 1968 a
Djibouti	09 Aug 1977 d	09 Aug 1977 d
Dominica	17 Feb 1994 a	17 Feb 1994 a
Dominican Republic	04 Jan 1978 a	04 Jan 1978 a
Ecuador	17 Aug 1955 a	06 Mar 1969 a
Egypt	22 May 1981 a	22 May 1981 a
El Salvador	28 Apr 1983 a	28 Apr 1983 a
Equatorial Guinea	07 Feb 1986 a	07 Feb 1986 a
Estonia	10 Apr 1997 a	10 Apr 1997 a
Ethiopia	10 Nov 1969 a	10 Nov 1969 a
Fiji	12 Jun 1972 d	12 Jun 1972 d
Finland	10 Oct 1968 a	10 Oct 1968 a
France	23 Jun 1954 r	03 Feb 1971 a
Gabon	27 Apr 1964 a	28 Aug 1973 a
Gambia	07 Sep 1966 d	29 Sep 1967 a
Georgia	09 Aug 1999 a	09 Aug 1999 a
Germany	01 Dec 1953 r	05 Nov 1969 a
Ghana	18 Mar 1963 a	30 Aug 1968 a
Greece	05 Apr 1960 r	07 Aug 1968 a
Guatemala	22 Sep 1983 a	22 Sep 1983 a
Guinea	28 Dec 1965 d	16 May 1968 a



Guinea-Bissau	11 Feb 1976 a	11 Feb 1976 a
Haiti	25 Sep 1984 a	25 Sep 1984 a
Holy See	15 Mar 1956 r	08 Jun 1967 a
Honduras	23 Mar 1992 a	23 Mar 1992 a
Hungary	14 Mar 1989 a	14 Mar 1989 a
Iceland	30 Nov 1955 a	26 Apr 1968 a
Iran, Islamic Republic of	28 Jul 1976 a	28 Jul 1976 a
Ireland	29 Nov 1956 a	06 Nov 1968 a
Israel	01 Oct 1954 r	14 Jun 1968 a
Italy	15 Nov 1954 r	26 Jan 1972 a
Jamaica	30 Jul 1964 d	30 Oct 1980 a
Japan	03 Oct 1981 a	01 Jan 1982 a
Kazakhstan	15 Jan 1999 a	15 Jan 1999 a
Kenya	16 May 1966 a	13 Nov 1981 a
Kyrgyzstan	08 Oct 1996 a	08 Oct 1996 a
Korea, Republic of	03 Dec 1992 a	03 Dec 1992 a
Latvia	31 Jul 1997 a	31 Jul 1997 a
Lesotho	14 May 1981 a	14 May 1981 a
Liberia	15 Oct 1964 a	27 Feb 1980 a
Liechtenstein	08 Mar 1957 r	20 May 1968 a
Lithuania	28 Apr 1997 a	28 Apr 1997 a
Luxembourg	23 Jul 1953 r	22 Apr 1971 a
Macedonia, The Former Yugoslav Republic of	18 Jan 1994 d	18 Jan 1994 d
Madagascar (C)	18 Dec 1967 a	
Malawi	10 Dec 1987 a	10 Dec 1987 a
Mali	02 Feb 1973 d	02 Feb 1973 a
Malta	17 Jun 1971 a	15 Sep 1971 a
Mauritania	05 May 1987 a	05 May 1987 a
Mexico	07 June 2000 a	07 June 2000 a
Moldova, Republic of	31 Jan 2002 a	31 Jan 2002 a
Monaco (C)	18 May 1954 a	
Morocco	07 Nov 1956 d	20 Apr 1971 a
Mozambique	16 Dec 1983 a	01 May 1989 a
Namibia	17 Feb 1995 a	17 Feb 1995 a
Netherlands	03 May 1956 r	29 Nov 1968 a
New Zealand	30 Jun 1960 a	06 Aug 1973 a
Nicaragua	28 Mar 1980 a	28 Mar 1980 a
Niger	25 Aug 1961 d	02 Feb 1970 a
Nigeria	23 Oct 1967 a	02 May 1968 a
Norway	23 Mar 1953 r	28 Nov 1967 a
Panama	02 Aug 1978 a	02 Aug 1978 a
Papua New Guinea	17 Jul 1986 a	17 Jul 1986 a
Paraguay	01 Apr 1970 a	01 Apr 1970 a
Peru	21 Dec 1964 a	15 Sep 1983 a
Philippines	22 Jul 1981 a	22 Jul 1981 a
Poland	27 Sep 1991 a	27 Sep 1991 a
Portugal	22 Dec 1960 a	13 Jul 1976 a
Romania	07 Aug 1991 a	07 Aug 1991 a
Russian Federation	02 Feb 1993 a	02 Feb 1993 a



Rwanda	03 Jan 1980 a	03 Jan 1980 a
Saint Kitts and Nevis (C)	01 Feb 2002 a	
Saint Vincent and the Grenadines	03 Nov 1993 a	03 Nov 2003 a
Samoa	21 Sep 1988 a	29 Nov 1994 a
Sao Tome and Principe	01 Feb 1978 a	01 Feb 1978 a
Senegal	02 May 1963 d	03 Oct 1967 a
Serbia	12 Mar 2001 d	12 Mar 2001 d
Seychelles	23 Apr 1980 a	23 Apr 1980 a
Sierra Leone	22 May 1981 a	22 May 1981 a
Slovakia	04 Feb 1993 d	04 Feb 1993 d
Slovenia	06 Jul 1992 d	06 Jul 1992 d
Solomon Islands	28 Feb 1995 a	12 Apr 1995 a
Somalia	10 Oct 1978 a	10 Oct 1978 a
South Africa	12 Jan 1996 a	12 Jan 1996 a
Spain	14 Aug 1978 a	14 Aug 1978 a
Sudan	22 Feb 1974 a	23 May 1974 a
Suriname	29 Nov 1978 d	29 Nov 1978 d
Swaziland	14 Feb 2000 a	28 Jan 1969 a
Sweden	26 Oct 1954 r	04 Oct 1967 a
Switzerland	21 Jan 1955 r	20 May 1968 a
Tajikistan	07 Dec 1993 a	07 Dec 1993 a
Tanzania, United Republic of	12 May 1964 a	04 Sep 1968 a
Timor-Leste	07 May 2003 a	07 May 2003 a
Togo	27 Feb 1962 d	01 Dec 1969 a
Trinidad and Tobago	10 Nov 2000 a	10 Nov 2000 a
Tunisia	24 Oct 1957 d	16 Oct 1968 a
Turkey	30 Mar 1962 r	31 Jul 1968 a
Turkmenistan	02 Mar 1998 a	2 Mar 1998 a
Tuvalu	07 Mar 1986 d	07 Mar 1986 d
Uganda	27 Sep 1976 a	27 Sep 1976 a
Ukraine	10 Jun 2002 a	04 Apr 2002 a
United Kingdom of Great Britain and Northern Ireland		
	11 Mar 1954 r	04 Sep 1968 a
United States of America (P)		01 Nov 1968 a
Uruguay	22 Sep 1970 a	22 Sep 1970 a
Venezuela (P)		19 Sep 1986 a
Yemen	18 Jan 1980 a	18 Jan 1980 a
Zambia	24 Sep 1969 d	24 Sep 1969 a
Zimbabwe	25 Aug 1981 a	25 Aug 1981 a

Limitations:

Article 1 B(1) of the 1951 Convention provides: “For the purposes of this Convention, the words ‘events occurring before 1 January 1951’ in article 1, Section A, shall be understood to mean either (a) ‘events occurring in Europe before 1 January 1951’; or (b) ‘events occurring in Europe or elsewhere before 1 January 1951’, and each Contracting State shall make a declaration at the time of signature, ratification or accession, specifying which of these meanings it applies for the purposes of its obligations under this Convention.”



The following States adopted alternative (a), the geographical limitation: Congo, Madagascar, Monaco and Turkey. Turkey expressly maintained its declaration of geographical limitation upon acceding to the 1967 Protocol. Madagascar and Monaco have not yet adhered to the Protocol.

All other States Parties ratified, acceded or succeeded to the Convention without a geographical limitation by selecting option (b), ‘events occurring in Europe or elsewhere before 1 January 1951’.

Notes:

* Ratification (r), Accession (a), Succession (d).

** (C) denotes States Parties to the 1951 Convention only; (P) denotes States Parties to the 1967 Protocol only.

*** As of 4 February 2003, following the adoption and promulgation of the Constitutional Charter of Serbia and Montenegro by the Assembly of the Federal Republic of Yugoslavia, the official name of “The Federal Republic of Yugoslavia” has been changed to “Serbia and Montenegro”.

Declarations and Reservations to the 1951 Convention relating to the Status of Refugees

As of 1 March 2006

*Declarations under section B of article 1 of the Convention
(Unless otherwise indicated in a footnote, the declarations were
received upon ratification, accession or succession.)*

(a) "Events occurring in Europe before 1 January 1951"

Congo
Madagascar
Monaco
Turkey

(b) "Events occurring in Europe or elsewhere before 1 January 1951"

Afghanistan
Albania
Algeria
Angola
Antigua and Barbuda
Argentina^{[11](#)}
^{[.12](#)}
Armenia
Australia^{[12](#)}
Austria
Azerbaijan
Bahamas
Belarus
Belgium
Belize
Benin^{[12](#)}
Bolivia
Bosnia and Herzegovina^{[2](#)}
Botswana^{[13](#)}
Brazil^{[12](#)}
Bulgaria
Burkina Faso
Burundi
Cameroon^{[12](#)}

Canada
Central African Republic [12](#)
Chad
Chile [12](#)
China
Colombia [11](#)
[.12](#)
Costa Rica
Côte d'Ivoire [12](#)
Croatia [2](#)
Cyprus
Czech Republic [4](#)
Democratic Republic of the Congo
Denmark
Djibouti
Dominica
Dominican Republic
Ecuador [12](#)
Egypt
El Salvador
Equatorial Guinea
Estonia
Ethiopia
Fiji
Finland
France [12](#)
Gabon
Gambia
Georgia
Germany [5](#)
Ghana
Greece
Guatemala
Guinea
Guinea-Bissau
Haiti
Holy See [12](#)
Honduras
Hungary [11](#)
[.12](#)
Iceland

Iran (Islamic Republic of)[12](#)
Ireland
Israel
Italy[12](#)
Jamaica
Japan
Kazakhstan
Kenya
Kyrgyzstan
Latvia[11](#)
[.12](#)
Lesotho
Liberia
Liechtenstein
Lithuania
Luxembourg[12](#)
Malawi[14](#)
Mali
Malta[12](#)
Mauritania
Mexico
Morocco
Mozambique
Namibia
Netherlands
New Zealand
Nicaragua
Niger[12](#)
Nigeria
Norway
Panama
Papua New Guinea
Paraguay[11](#)
[.12](#)
Peru[12](#)
Philippines
Poland
Portugal[12](#)
Republic of Korea
Republic of Moldova
Romania

Russian Federation
Rwanda
Saint Kitts and Nevis
Saint Vincent and the Grenadines
Samoa
Sao Tome and Principe
South Africa
Senegal¹²
Seychelles
Sierra Leone
Slovakia⁴
Slovenia²
Solomon Islands
Somalia
Spain
Sudan¹²
Suriname
Swaziland
Sweden
Switzerland
Tajikistan
The Former Yugoslav Republic of Macedonia²
Timor-Leste
Togo¹²
Trinidad and Tobago
Tunisia
Turkmenistan
Tuvalu
Uganda
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
Uruguay
Yemen¹⁰
Serbia and Montenegro²
Zambia
Zimbabwe

DECLARATIONS

Declarations other than those made under section B of article 1 and Reservations (Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession. For objections thereto and territorial applications, see hereinafter.)

Angola

The Government of the People's Republic of Angola also declares that the provisions of the Convention shall be applicable in Angola provided that they are not contrary to or incompatible with the constitutional and legal provisions in force in the People's Republic of Angola, especially as regards articles 7, 13, 15, 18 and 24 of the Convention. Those provisions shall not be construed so as to accord to any category of aliens resident in Angola more extensive rights than are enjoyed by Angolan citizens.

The Government of the People's Republic of Angola also considers that the provisions of articles 8 and 9 of the Convention cannot be construed so as to limit its right to adopt in respect of a refugee or group of refugees such measures as it deems necessary to safeguard national interests and to ensure respect for its sovereignty, whenever circumstances so require.

In addition, the Government of the People's Republic of Angola wishes to make the following reservations:

Ad article 17: The Government of the People's Republic of Angola accepts the obligations set forth in article 17, provided that:

- (a) Paragraph 1 of this article shall not be interpreted to mean that refugees must enjoy the same privileges as may be accorded to nationals of countries with which the People's Republic of Angola has signed special co-operation agreements;
- (b) Paragraph 2 of this article shall be construed as a recommendation and not as an obligation.

Ad article 26:

The Government of the People's Republic of Angola reserves the right to prescribe, transfer or circumscribe the place of residence of certain refugees or groups of refugees, and to restrict their freedom of movement, whenever considerations of national or international order make it advisable to do so.

Australia¹⁵

Austria¹⁶

The Convention is ratified:

(a) Subject to the reservation that the Republic of Austria regards the provisions of article 17, paragraphs 1 and 2 (excepting, however, the phrase "who was already exempt from them at the date of entry into force of this Convention for the Contracting State concerned, or . . ." in the latter paragraph) not as a binding obligation, but merely as a recommendation.

(b) Subject to the reservation that the provisions of article 22, paragraph 1, shall not be applicable to the establishment and maintenance of private elementary schools, that the

"public relief and assistance" referred to in article 23 shall be interpreted solely in the sense of allocations from public welfare funds (*Armenversorgung*), and that the "documents or certifications" referred to in article 25, paragraphs 2 and 3 shall be construed to mean the identity certificates provided for in the Convention of 30 June 1928 relating to refugees.

Bahamas

Reservation:

"Refugees and their dependants would normally be subjected to the same laws and regulations relating generally to the employment of non-Bahamians within the Commonwealth of the Bahamas, so long as they have not acquired status in the Commonwealth of the Bahamas."

Belgium

1. In all cases where the Convention grants to refugees the most favourable treatment accorded to nationals of a foreign country, this provision shall not be interpreted by the Belgian Government as necessarily involving the régime accorded to nationals of countries with which Belgium has concluded regional customs, economic or political agreements.

2. Article 15 of the Convention shall not be applicable in Belgium; refugees lawfully staying in Belgian territory will enjoy the same treatment, as regards the right of association, as that accorded to aliens in general.

Botswana

"Subject to the reservation of articles 7, 17, 26, 31, 32 and 34 and paragraph 1 of article 12 of the Convention."

Brazil¹⁷

7 April 1972

"Refugees will be granted the same treatment accorded to nationals of foreign countries in general, with the exception of the preferential treatment extended to nationals of Portugal through the Friendship and Consultation Treaty of 1953 and Article 199 of the Brazilian Constitutional Amendment No.1, of 1969."

Canada

"Subject to the following reservation with reference to Articles 23 and 24 of the Convention:

"Canada interprets the phrase 'lawfully staying' as referring only to refugees admitted for permanent residence: refugees admitted for temporary residence will be accorded the same treatment with respect to the matters dealt with in articles 23 and 24 as is accorded visitors generally."

Chile

(1) With the reservation that, with reference to the provisions of article 34, the Government of Chile will be unable to grant to refugees facilities greater than those granted to aliens in general, in view of the liberal nature of Chilean naturalization laws;

(2) With the reservation that the period specified in article 17, paragraph 2 (a) shall, in the case of Chile, be extended from three to ten years;

(3) With the reservation that article 17, paragraph 2 (c) shall apply only if the refugee is the widow or the widower of a Chilean spouse;

(4) With the reservation that the Government of Chile cannot grant a longer period for compliance with an expulsion order than that granted to other aliens in general under Chilean law.

China

"[Subject to] reservations on the following articles:

(1). The latter half of article 14, which reads

'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.'

(2). Article 16 (3)."

Cyprus¹⁸

With confirmation of the reservations made by the Government of the United Kingdom upon application of the Convention to the territory of Cyprus.

Denmark¹⁹

25 March 1968

"[Subject to] the following reservation:

The obligation in article 17, paragraph 1, to accord to refugees lawfully staying in Denmark the most favourable treatment accorded to nationals of a foreign country as regards the right to engage in wage-earning employment shall not be construed to mean that refugees shall be entitled to the privileges which in this respect are accorded to nationals of Finland, Iceland, Norway and Sweden."

Ecuador

[Subject to] the following declarations and reservation:

With respect to article 1, relating to the definition of the term "refugee", the Government of Ecuador declares that its accession to the Convention relating to the Status of Refugees does not imply its acceptance of the Conventions which have not been expressly signed and ratified by Ecuador.

With respect to article 15, Ecuador further declares that its acceptance of the provisions contained therein shall be limited in so far as those provisions are in conflict with the constitutional and statutory provisions in force prohibiting aliens, and consequently refugees, from being members of political bodies.

Egypt

With reservations in respect of article 12 (1), articles 20 and 22 (1), and articles 23 and 24.

Clarifications (received on 24 September 1981):

1. Egypt formulated a reservation to article 12 (1) because it is in contradiction with the internal laws of Egypt. This article provides that the personal status of a refugee shall be governed by the law of the country of his domicile or, failing this, of his residence. This formula contradicts article 25 of the Egyptian civil code, which reads as follows:

"The judge declares the applicable law in the case of persons without nationality or with more than one nationality at the same time. In the case of persons where there is proof, in

accordance with Egypt, of Egyptian nationality, and at the same time in accordance with one or more foreign countries, of nationality of that country, the Egyptian law must be applied."

The competent Egyptian authorities are not in a position to amend this article (25) of the civil code.

2. Concerning articles 20, 22 (paragraph 1), 23 and 24 of the Convention of 1951, the competent Egyptian authorities had reservations because these articles consider the refugee as equal to the national.

We made this general reservation to avoid any obstacle which might affect the discretionary authority of Egypt in granting privileges to refugees on a case-by-case basis.

Estonia

"[Subject to the following] reservations ...:

1) to Articles 23 and 24 as follows:

The Republic of Estonia considers articles 23 and 24 merely as recommendatory, not as legally binding.

2) to Article 25 as follows:

The Republic of Estonia shall not be bound to cause a certificate to be delivered by an Estonian authority, in place of the authorities of a foreign country, if documentary records necessary for the delivery of such a certificate do not exist in the Republic of Estonia.

3) to Article 28, paragraph 1 as follows:

The Republic of Estonia shall not be obliged within five years from the entry into force of the present Convention to issue travel documents provided in article 28."

Ethiopia

"[S]ubject to the following reservations made under the terms of Article 42, paragraph 1, of the Convention and Article VII, paragraph 1, of the Protocol :

The provisions of articles 8, 9, 17 (2) and 22 (1) of the Convention are recognized only as recommendations and not as legally binding obligations."

Fiji

The Government of Fiji stated that "...[t]he first and fourth 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 refugee on the ground of his nationality. The provisions of article 8 shall not prevent the Government of Fiji from exercising any rights over property and 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 on behalf 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 refugees. Any need for the documents or certifications mentioned in paragraph 2 of that article would be met by affidavits...

All other reservations made by the United Kingdom to the above-mentioned [Convention are] withdrawn."

Finland²⁰

"[S]ubject to the following reservations:

(1) A general reservation to the effect that the application of those provisions of the Convention which grant to refugees 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;

[...]

(5) A reservation to article 24, paragraph 1 (b) and paragraph 3 to the effect that they shall not be binding on Finland;

[...]

France

In depositing its instrument of ratification, the Government of the French Republic, acting in accordance with article 42 of the Convention, makes the following statements:

(a) It considers that article 29, paragraph 2, does not prevent the application in French territory of the provisions of the Act of 7 May 1934 authorizing the levying of the Nansen tax for the support of refugee welfare, resettlement and relief work.

(b) Article 17 in no way prevents the application of the laws and regulations establishing the proportion of alien workers that employers are authorized to employ in France or affects the obligations of such employers in connexion with the employment of alien workers.

Gambia²¹

Georgia

"According to the paragraph 1, article 40 of the [...] Convention, before the full restoration of the territorial integrity of Georgia, this Convention is applicable only to the territory where the jurisdiction of Georgia is exercised."

Greece²²

"In cases or circumstances which, in its opinion, would justify exceptional procedure for reasons of national security or public order, the Hellenic Government *reserves* the right to derogate from the obligations imposed by the provisions of article 26."

Guatemala

The Republic of Guatemala accedes to the Convention relating to the Status of Refugees and its Protocol, with the reservation that it will not apply provisions of those instruments in respect of which the Convention allows reservations if those provisions contravene constitutional precepts in Guatemala or norms of public order under domestic law.

The expression "treatment as favourable as possible" in all articles of the Convention and of the Protocol in which the expression is used should be interpreted as not including rights which, under law or treaty, the Republic of Guatemala has accorded or is according to nationals of the Central American countries or of other countries with which it has concluded or is entering into agreements of a regional nature.

Holy See

The Holy See, in conformity with the terms of article 42, paragraph 1, of the Convention, makes the reservation that the application of the Convention must be compatible in practice with the special nature of the Vatican City State and without prejudice to the norms governing access to and sojourn therein.

Honduras

Reservations:

(a) With respect to article 7:

The Government of the Republic of Honduras understands this article to mean that it shall accord to refugees such facilities and treatment as it shall deem appropriate at its discretion, taking into account the economic, social, democratic and security needs of the country;

(b) With respect to article 17:

This article shall in no way be understood as limiting the application of the labour and civil service laws of the country, especially is so far as they refer to the requirements, quotas and conditions of work which an alien must fulfil in his employment;

(c) With respect to article 24:

The Government of Honduras shall apply this article to the extent that it does not violate constitutional provisions governing labour, administrative or social security legislation in force in the country;

(d) With respect to articles 26 and 31:

The Government of Honduras reserves the right to designate, change or limit the place of residence of certain refugees or groups of refugees and to restrict their freedom of movement when national or international considerations so warrant;

(e) With respect to article 34:

The Government of the Republic of Honduras shall not be obligated to guarantee refugees more favourable naturalization facilities than those ordinarily granted to aliens in accordance with the laws of the country.

Iran (Islamic Republic of)

Subject to the following reservations:

1. In all cases where, under the provisions of this Convention, refugees enjoy the most favourable treatment accorded to nationals of a foreign State, the Government of Iran reserves the right not to accord refugees the most favourable treatment accorded to nationals of States with which Iran has concluded regional establishment, customs, economic or political agreements.
2. The Government of Iran considers the stipulations contained in articles 17, 23, 24 and 26 as being recommendations only.

Ireland²³

"[S]ubject to the following declarations and reservations:

...

2. The Government of Ireland understands the words 'public order' in article 32 (1) and the words 'in accordance with due process of law' in article 32 (2) to mean, respectively, 'public policy' and 'in accordance with a procedure provided by law'.
3. With regard to article 17 the Government of Ireland do not undertake to grant to refugees rights of wage-earning employment more favourable than those granted to aliens generally.
4. The Government of Ireland undertake to give effect to article 25 only insofar as may be practicable and permissible under the laws of Ireland.
5. With regard to article 29 (1) the Government of Ireland do not undertake to accord to refugees treatment more favourable than that accorded to aliens generally with respect to

...

(c) Income Tax (including Surtax)."

Israel

"[S]ubject to the following statements and reservations:

...

2. Articles 8 and 12 shall not apply to Israel.
3. Article 28 shall apply to Israel with the limitations which result from Section 6 of the Passport Law of 5712-1952, according to which the Minister may, at his discretion:
 - (a) Refuse to grant, or to extend the validity of a passport or laissez-passer;
 - (b) Attach conditions to the grant or the extension of the validity of a passport or laissez-passer;
 - (c) Cancel, or shorten the period of validity of a passport or laissez-passer issued, and order the surrender thereof;

(d) Limit, either at or after the issue of a passport or laissez-passer, the range of countries for which it is to be valid.

4. Permits provided for by Article 30 shall be issued by the Minister of Finance at his discretion."

Italy²⁴

Jamaica

"The Government of Jamaica confirms and maintains the following reservations, which were made when the Convention was extended to Jamaica by the United Kingdom of Great Britain and Northern Ireland:

(i) The Government of the United Kingdom understand articles 8 and 9 as not preventing the taking by the above-mentioned territory, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a refugee on the ground of his nationality. The provisions of article 8 shall not prevent the Government of the United Kingdom 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 the Convention for the above-mentioned territory, are under the control of the Government of the United Kingdom by reason of a state of war which exists or existed between them and any other State.

(ii) The Government of the United Kingdom accept paragraph 2 of article 17 in its application to the above-mentioned territory with the substitution of 'four years' for 'three years' in subparagraph (a) and with the omission of subparagraph (c).

(iii) The Government of the United Kingdom can only undertake that the provisions of subparagraph (b) of paragraph 1 of article 24 and of paragraph 2 of that article will be applied to the above-mentioned territory so far as the law allows.

(iv) The Government of the United Kingdom cannot undertake that effect will be given in the above-mentioned territory to paragraphs 1 and 2 of article 25 and can only undertake that the provisions of paragraph 3 will be applied in the above-mentioned territory so far as the law allows."

Latvia

"Reservation

In accordance with paragraph 1 of article 42 of the [said Convention], the Republic of Latvia declares that it does not consider itself bound by the article 8 and the article 34 of the Convention.

Reservation

In accordance with paragraph 1 of the article 42 of the [said Convention], the Republic of Latvia, in respect of the article 26 of the Convention, reserves the right to designate the place or places of residence of the refugees whenever considerations of national security or public order so require.

Reservation

In accordance with paragraph 1 of the article 42 of the [said Convention], the Republic of Latvia declares that the provisions of paragraphs 1 and 2 of the article 17 and article 24 of the Convention it considers as recommendations and not legal obligations.

Reservation

In accordance with paragraph 1 of the article 42 of the [said Convention], the Republic of Latvia declares that in all cases where the Convention grants to refugees the most favourable treatment accorded to nationals of a foreign country, this provision shall not be interpreted by the Government of the Republic of Latvia as necessarily involving the regime accorded to nationals of countries with which the Republic of Latvia had concluded regional customs, economic, political or social security agreements."

Liechtenstein

Subject to the following reservations:

Ad article 17: With respect to the right to engage in wage-earning employment, refugees are treated in law on the same footing as aliens in general, on the understanding, however, that the competent authorities shall make every effort insofar as possible, to apply to them the provisions of this article.

Ad article 24, paragraphs 1 (a) and (b), and paragraph 3: Provisions relating to aliens in general on training, apprenticeship, unemployment insurance, old-age and survivors insurance shall be applicable to refugees. Nevertheless, in the case of old-age and survivors insurance, refugees residing in Liechtenstein (including their survivors if the latter are considered as refugees) are already entitled to normal old-age or survivors' benefits after paying their contributions for at least one full year, provided that they have resided in Liechtenstein for ten years-of which five years without interruption have immediately preceded the occurrence of the event insured against. Moreover, the one-third reduction in benefits provided in the case of aliens and stateless persons under article 74 of the Act on Old-Age and Survivors Insurance, is not applicable to refugees. Refugees residing in Liechtenstein who, on the occurrence of the event insured against, are not entitled to old-age or survivors' benefits, are paid not only their own contributions but any contributions which may have been made by the employers.

Luxembourg

Upon signature:

Subject to the following reservation: in all cases where this Convention grants to refugees the most favourable treatment accorded to nationals of a foreign country, this provision shall not be interpreted as necessarily involving the régime accorded to nationals of countries with which the Grand Duchy of Luxembourg has concluded regional, customs, economic or political agreements.

15 November 1984

Interpretative statement:

The Grand Duchy of Luxembourg considers that the reservation made by the Republic of Guatemala concerning the Convention relating to the Status of Refugees of 28 July 1951 and

the Protocol relating to the Status of Refugee of 31 January 1967 does not affect the obligations of Guatemala deriving from those instruments.

Madagascar

The provisions of article 7 (1) shall not be interpreted as requiring the same treatment as is accorded to nationals of countries with which the Malagasy Republic has concluded conventions of establishment or agreements on co-operation;

The provisions of articles 8 and 9 shall not be interpreted as forbidding the Malagasy Government to take, in time of war or other grave and exceptional circumstances, measures with regard to a refugee because of his nationality in the interests of national security.

The provisions of article 17 cannot be interpreted as preventing the application of the laws and regulations establishing the proportion of alien workers that employers are authorized to employ in Madagascar or affecting the obligations of such employers in connexion with the employment of alien workers.

Malawi

"In respect of articles 7, 13, 15, 19, 22 and 24

The Government of the Republic of Malawi considers these provisions as recommendations only and not legally binding obligations.

In respect of article 17

The Government of the Republic of Malawi does not consider itself bound to grant a refugee who fulfils any of the conditions set forth in subparagraphs (a) to (c) to paragraph (2) of article 17 automatic exemption for the obligation to obtain a work permit.

In respect of article 17 as a whole, the Government of the Republic of Malawi does not undertake to grant to refugees rights of wage earning employment more favourable than those granted to aliens generally.

In respect of article 26

The Government of the Republic of Malawi reserves its right to designate the place or places of residence of the refugees and to restrict their movements whenever considerations of national security or public order so require.

In respect of article 34

The Government of the Republic of Malawi is not bound to grant to refugees any more favourable naturalization facilities than are granted, in accordance with the relevant laws and regulations, to aliens generally."

Malta²⁵

Mexico

Interpretative declarations:

It will always be the task of the Government of Mexico to determine and grant, in accordance with its legal provisions in force, refugee status, without prejudice to the definition of a refugee provided for under article 1 of the Convention and article 1 of its Protocol.

The Government of Mexico has the power to grant refugees greater facilities for naturalization and assimilation than those accorded to aliens in general, within the framework of its population policy and, particularly, with regard to refugees, in accordance with its national legislation.

Reservations:

The Government of Mexico is convinced of the importance of ensuring that all refugees can obtain wage-earning employment as a means of subsistence and affirms that refugees will be treated, in accordance with the law, under the same conditions as aliens in general, including the laws and regulations which establish the proportion of alien workers that employers are authorized to employ in Mexico, and this will not affect the obligations of employers with regard to the employment of alien workers.

On the other hand, since the Government of Mexico is unable to guarantee refugees who meet any of the requirements referred to in article 17, paragraph 2 (a), (b) and (c), of the Convention, the automatic extension of the obligations for obtaining a work permit, it lodges an express reservation to these provisions.

The Government of Mexico reserves the right to assign, in accordance with its national legislation, the place or places of residence of refugees and to establish the conditions for moving within the national territory, for which reason it lodges an express reservation to articles 26 and 31 (2) of the Convention.

The Government of Mexico lodges an express reservation to article 32 of the Convention and, therefore refers to the application of article 33 of the Political Constitution of the United Mexican States, without prejudice to observance of the principle of non-refoulement set forth in article 33 of the Convention.

Monaco

Subject to the reservation that the stipulations contained in articles 7 (paragraph 2), 15, 22 (paragraph 1), 23 and 24 shall be provisionally considered as being recommendations and not legal obligations.

Mozambique

Reservations:

In respect of articles 13 and 22:

The Government of Mozambique will take these provisions as simple recommendations not binding it to accord to refugees the same treatment as is accorded to Mozambicans with respect to elementary education and property.

In respect of articles 17 and 19:

The Government of Mozambique will interpret [these provisions] to the effect that it is not required to grant privileges from obligation to obtain a work permit.

As regards article 15:

The Government of Mozambique will not be bound to accord to refugees or groups of refugees resident in its territory more extensive rights than those enjoyed by nationals with respect to the right of association and it reserves the right to restrict them in the interest of national security.

As regards article 26:

The Government of Mozambique reserves its right to designate place or places for principal residence for refugees or to restrict their freedom of movement whenever considerations of national security make it advisable.

As regards article 34:

The Government of Mozambique does not consider itself bound to grant to refugees facilities greater than those granted to other categories of aliens in general, with respect to naturalization laws."

Namibia

"[S]ubject to the following reservation in respect of article 26:

The Government of the Republic of Namibia reserves the right to designate a place or places for principal reception and residence for refugees or to restrict their freedom of movement if consideration of national security so required or make it advisable."

Netherlands

Reservation made upon signature and confirmed upon ratification:

This signature is appended subject to the reservation that in all cases where this Convention grants to refugees the most favourable treatment accorded to nationals of a foreign country this provision shall not be interpreted as involving the régime accorded to nationals of countries with which the Netherlands has concluded regional, customs, economic or political agreements.

Declarations:

(1) With reference to article 26 of this Convention, the Netherlands Government reserves the right to designate a place of principal residence for certain refugees or groups of refugees in the public interest.

(2) In the notifications concerning overseas territories referred to in article 40, paragraph 2, of this Convention, the Netherlands Government reserves the right to make a declaration in accordance with section B of article 1 with respect to such territories and to make reservations in accordance with article 42 of the Convention.

Interpretative declaration:

In depositing the instrument of ratification by the Netherlands, . . . I declare on behalf of the Netherlands Government that it does not regard the Amboinese who were transported to the Netherlands after 27 December 1949, the date of the transfer of sovereignty by the Kingdom of the Netherlands to the Republic of the United States of Indonesia, as eligible for the status of refugees as defined in article 1 of the said Convention.

New Zealand

"The Government of New Zealand can only undertake to give effect to the provisions contained in paragraph 2 of article 24 of the Convention so far as the law of New Zealand allows."

Norway²⁶

"The obligation stipulated in article 17 (1) to accord to refugees lawfully staying in the country the most favourable treatment accorded to nationals of a foreign country in the same circumstances as regards the right to engage in wage-earning employment, shall not be construed as extending to refugees the benefits of agreements which may in the future be concluded between Norway, Denmark, Finland, Iceland and Sweden, or between Norway and any one of these countries, for the purpose of establishing special conditions for the transfer of labour between these countries."

Papua New Guinea

"The Government of Papua New Guinea in accordance with article 42 paragraph 1 of the Convention makes a reservation with respect to the provisions contained in articles 17 (1), 21, 22 (1), 26, 31, 32 and 34 of the Convention and does not accept the obligations stipulated in these articles."

Poland

The Republic of Poland does not consider itself bound by the provisions of article 24, paragraph 2, of the Convention.

Portugal²⁷

13 July 1976

"In all cases in which the Convention confers upon the refugees the most favoured person status granted to nationals of a foreign country, this clause will not be interpreted in such a way as to mean the status granted by Portugal to the nationals of Brazil."

Republic of Korea

"The Republic of Korea declares pursuant to article 42 of the Convention that it is not bound by article 7 which provides for the exemption of refugees from legislative reciprocity after fulfilling the condition of three years' residence in the territory of the Contracting States."

Republic of Moldova

Declarations and reservations:

" ... with the following declarations and reservations:

1. According to paragraph 1, article 40 of the Convention, the Republic of Moldova declares that, until the full restoration of the territorial integrity of the Republic of Moldova, the provisions of this Convention are applicable only in the territory where the jurisdiction of the Republic of Moldova is exercised.
2. The Republic of Moldova shall apply the provisions of this convention with no discrimination generally not only as to race, religion or country of origin as stipulated in Article 3 of the Convention.
3. For the purposes of this Convention by the notion "residence" shall be understood the permanent and lawful domicile.
4. According to paragraph 1 of Article 42 of the Convention, the Republic of Moldova reserves the right that the provisions of the Convention, according to which refugees shall be accorded treatment not less favorable than that accorded aliens generally, are not interpreted as an obligation to offer refugees a regime similar to that accorded to the citizens of the states

with which the Republic of Moldova has signed regional customs, economic, political and social security treaties.

5. According to paragraph 1 of Article 42 of the Convention, the Republic of Moldova reserves the right to consider the provisions of Article 13 as recommendations and not as obligations.

6. According to paragraph 1 of Article 42 of the Convention, the Republic of Moldova reserves the right to consider the provisions of Article 17 (2) as recommendations and not as obligations.

7. According to paragraph 1 of Article 42 of the Convention, the Republic of Moldova interprets the provisions of Article 21 of the Convention as not obliged to accord housing to refugees.

8. The Government of the Republic of Moldova reserves the right to apply the provisions of Article 24 so that they do not infringe upon the constitutional and domestic legislation provisions regarding the right to labor and social protection.

9. According to paragraph 1 of Article 42 of the Convention, in implementing Article 26 of this Convention, the Republic of Moldova reserves the right to establish the place of residence for certain refugees or groups of refugees in the interest of the state and society.

10. The Republic of Moldova shall apply the provisions of Article 31 of the Convention as of the date of the entry into force of the Law on Refugee Status.

Rwanda

Reservation to article 26:

For reasons of public policy (*ordre public*), the Rwandese Republic reserves the right to determine the place of residence of refugees and to establish limits to their freedom of movement.

Sierra Leone

"The Government of Sierra Leone wishes to state with regard to article 17 (2) that Sierra Leone does not consider itself bound to grant to refugees the rights stipulated therein.

Further, with regard to article 17 as a whole, the Government of Sierra Leone wishes to state that it considers the article to be a recommendation only and not a binding obligation.

The Government of Sierra Leone wishes to state that it does not consider itself bound by the provisions of article 29, and it reserves the right to impose special taxes on aliens as provided for in the Constitution."

Somalia

"[Subject to] the following declaration:

The Government of the Somali Democratic Republic acceded to the Convention and Protocol on the understanding that nothing in the said Convention or Protocol will be construed to prejudice or adversely affect the national status, or political aspiration of displaced people from Somali Territories under alien domination.

It is in this spirit, that the Somali Democratic Republic will commit itself to respect the terms and provisions of the said Convention and Protocol."

Spain

(a) The expression "the most favourable treatment" shall, in all the articles in which it is used, be interpreted as not including rights which, by law or by treaty, are granted to nationals of Portugal, Andorra, the Philippines or the Latin American countries or to nationals of countries with which international agreements of a regional nature are concluded.

(b) The Government of Spain considers that article 8 is not a binding rule but a recommendation.

(c) The Government of Spain reserves its position on the application of article 12, paragraph 1. Article 12, paragraph 2, shall be interpreted as referring exclusively to rights acquired by a refugee before he obtained, in any country, the status of refugee.

(d) Article 26 of the Convention shall be interpreted as not precluding the adoption of special measures concerning the place of residence of particular refugees, in accordance with Spanish law.

Sudan

With reservation as to article 26.

Sweden²⁸

With the following reservations:

First, a general reservation to the effect that the application of those provisions of the Convention which grant to refugees 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 Sweden to the nationals of Denmark, Finland, Iceland and Norway or to the nationals of any one of those countries; and, *secondly*, the following reservations: a reservation to article 8 to the effect that that article shall not be binding on Sweden; a reservation to article 12, paragraph 1, to the effect that the Convention shall not modify the rule of Swedish private international law, as now in force, under which the personal status of a refugee is governed by the law of his country of nationality . . . ; a reservation to article 17, paragraph 2, to the effect that Sweden does not consider itself bound to grant a refugee who fulfils any one of the conditions set out in subparagraphs (a)-(c) an automatic exemption from the obligation to obtain a work permit; a reservation to article 24, paragraph 1 (b), to the effect that notwithstanding the principle of national treatment for refugees, Sweden shall not be bound to accord to refugees 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; a reservation to article 24, paragraph 3, to the effect that the provisions of this paragraph shall not be binding on Sweden; and a reservation to article 25, to the effect that Sweden does not consider itself bound to cause a certificate to be delivered by a Swedish authority, in the place of the authorities of a foreign country, if the documentary records necessary for the delivery of such a certificate do not exist in Sweden.

Switzerland²⁹

Timor-Leste

Declaration:

"In conformity with Article 42 of the Convention, the Democratic Republic of Timor-Leste accedes to the Convention with reservations in respect of Articles 16 (2), 20, 21, 22, 23 and 24."

Turkey

Upon signature:

The Turkish Government considers moreover, that the term "events occurring before 1 January 1951" refers to the beginning of the events. Consequently, since the pressure exerted upon the Turkish minority in Bulgaria, which began before 1 January 1951, is still continuing, the provision of this Convention must also apply to the Bulgarian refugees of Turkish extraction compelled to leave that country as a result of this pressure and who, being unable to enter Turkey, might seek refuge on the territory of another contracting party after 1 January 1951.

The Turkish Government will, at the time of ratification, enter reservations which it could make under article 42 of the Convention.

Reservation and declaration made upon ratification:

No provision of this Convention may be interpreted as granting to refugees greater rights than those accorded to Turkish citizens in Turkey;

The Government of the Republic of Turkey is not a party to the Arrangements of 12 May 1926 and of 30 June 1928 mentioned in article 1, paragraph A, of this Convention. Furthermore, the 150 persons affected by the Arrangement of 30 June 1928 having been amnestied under Act No.3527, the provisions laid down in this Arrangement are no longer valid in the case of Turkey. Consequently, the Government of the Republic of Turkey considers the Convention of 28 July 1951 independently of the aforementioned Arrangements
...

The Government of the Republic understands that the action of "re-availment" or "reacquisition" as referred to in article 1, paragraph C, of the Convention-that is to say: "If (1) He has voluntarily re-availed himself of the protection of the country of his nationality; or (2) Having lost his nationality, he has voluntarily reacquired it"-does not depend only on the request of the person concerned but also on the consent of the State in question.

Uganda

"(1) *In respect of article 7:* The Government of the Republic of Uganda understands this provision as not conferring any legal, political or other enforceable right upon refugees who, at any given time, may be in Uganda. On the basis of this understanding the Government of the Republic of Uganda shall accord refugees such facilities and treatment as the Government of the Republic of Uganda shall in her absolute discretion, deem fit having regard to her own security, economic and social needs.

(2) *In respect of articles 8 and 9:* The Government of the Republic of Uganda declares that the provisions of articles 8 and 9 are recognized by it as recommendations only.

(3) *In respect of article 13:* The Government of the Republic of Uganda reserves to itself the right to abridge this provision without recourse to courts of law or arbitral tribunals, national or international, if the Government of the Republic of Uganda deems such abridgement to be in the public interest.

(4) *In respect of article 15:* The Government of the Republic of Uganda shall in the public interest have the full freedom to withhold any or all rights conferred by this article from any refugees as a class of residents within her territory.

(5) *In respect of article 16:* The Government of the Republic of Uganda understands article 16 paragraphs 2 and 3 thereof as not requiring the Government of the Republic of Uganda to accord to a refugee in need of legal assistance, treatment more favourable than that extended to aliens generally in similar circumstances.

(6) *In respect of article 17:* The obligation specified in article 17 to accord to refugees lawfully staying in the country in the same circumstances shall not be construed as extending to refugees the benefit of preferential treatment granted to nationals of the states who enjoy special privileges on account of existing or future treaties between Uganda and those countries, particularly states of the East African Community and the Organization of African Unity, in accordance with the provisions which govern such charters in this respect.

(7) *In respect of article 25:* The Government of the Republic of Uganda understands that this article shall not require the Government of the Republic of Uganda to incur expenses on behalf of the refugees in connection with the granting of such assistance except in so far as such assistance is requested by and the resulting expense is reimbursed to the Government of the Republic of Uganda by the United Nations High Commissioner for Refugees or any other agency of the United Nations which may succeed it.

(8) *In respect of article 32:* Without recourse to legal process the Government of the Republic of Uganda shall, in the public interest, have the unfettered right to expel any refugee in her territory and may at any time apply such internal measures as the Government may deem necessary in the circumstances; so however that, any action taken by the Government of the Republic of Uganda in this regard shall not operate to the prejudice of the provisions of article 33 of this Convention."

United Kingdom of Great Britain and Northern Ireland

"(i) 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 refugee on the ground of his 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.

(ii) The Government of the United Kingdom of Great Britain and Northern Ireland accept paragraph 2 of article 17 with the substitution of "four years" for "three years" in sub-paragraph (a) and with the omission of sub-paragraph (c).

(iii) 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; and it can only undertake to apply the provisions of paragraph 2 of that Article so far as the law allows.

(iv) 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 relating 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 refugees) who receive treatment under the Service. While these powers have not yet been exercised it is possible that this might have to be done 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 Service to others. It is for these reasons that the Government of the United Kingdom while they are prepared in the future, as in the past, to give the most sympathetic consideration to the situation of refugees, find it necessary to make a reservation to sub-paragraph (b) of paragraph 1 of article 24 of the Convention.

The scheme of Industrial Injuries Insurance in Great Britain does not meet the requirements of paragraph 2 of article 24 of the Convention. Where an insured person has died as the result of an industrial accident or a disease due to the nature of his employment, benefit cannot generally be paid to his dependants who are abroad unless they are in any part of the British Commonwealth, in the Irish Republic or in a country with which the United Kingdom has made a reciprocal agreement concerning the payment of industrial injury benefits. There is an exception to this rule in favour of the dependants of certain seamen who die as a result of industrial accidents happening to them while they are in the service of British ships. In this matter refugees are treated in the same way as citizens of the United Kingdom and Colonies and by reason of paragraphs 3 and 4 of article 24 of the Convention, the dependants of refugees will be able to take advantage of reciprocal agreements which provide for the payment of United Kingdom industrial injury benefits in other countries. By reason of paragraphs (3) and (4) of article 24 refugees will enjoy under the scheme of National Insurance and Industrial Injuries Insurance certain rights which are withheld from British subjects who are not citizens of the United Kingdom and Colonies.

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 refugees. Any need for the documents or certifications mentioned in paragraph 2 of that article would be met by affidavits."

Zambia

"Subject to the following reservations made pursuant to article 42 (1) of the Convention:

Article 17 (2)

The Government of the Republic of Zambia wishes to state with regard to article 17, paragraph 2, that Zambia does not consider itself bound to grant to a refugee who fulfils any one of the conditions set out in sub-paragraphs (a) to (c) automatic exemption from the obligation to obtain a work permit.

Further, with regard to article 17 as a whole, Zambia does not wish to undertake to grant to refugees rights of wage-earning employment more favourable than those granted to aliens generally.

Article 22 (1)

The Government of the Republic of Zambia wishes to state that it considers article 22 (1) to be a recommendation only and not a binding obligation to accord to refugees the same treatment as is accorded to nationals with respect to elementary education.

Article 26

The Government of the Republic of Zambia wishes to state with regard to article 26 that it reserves the right to designate a place or places of residence for refugees.

Article 28

The Government of the Republic of Zambia wishes to state with regard to article 28 that Zambia considers itself not bound 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 refugee from Zambia."

Zimbabwe

"1. The Government of the Republic of Zimbabwe declares that it is not bound by any of the reservations to the Convention relating to the Status of Refugees, the application of which had

been extended by the Government of the United Kingdom to its territory before the attainment of independence.

2. The Government of the Republic of Zimbabwe wishes to state with regard to article 17, paragraph 2, that it does not consider itself bound to grant a refugee who fulfills any of the conditions set out in subparagraphs (a) to (c) automatic exemption from the obligation to obtain a work permit. In addition, with regard to article 17 as a whole, the Republic of Zimbabwe does not undertake to grant to refugees rights of wage-earning employment more favourable than those granted to aliens generally.

3. The Government of the Republic of Zimbabwe wishes to state that it considers article 22 (1) as being a recommendation only and not an obligation to accord to refugees the same treatment as it accords to nationals with respect to elementary education.

4. The Government of the Republic of Zimbabwe considers articles 23 and 24 as being recommendations only.

5. The Government of the Republic of Zimbabwe wishes to state with regard to article 26 that it reserves the right to designate a place or places of residence for refugees."

Objections
(Unless otherwise indicated, the objections were made
upon ratification, accession or succession.)

Belgium

5 November 1984

[Regarding the reservation made by Guatemala upon accession] [the Belgian Government] considers that it is impossible for the other States parties to determine the scope of a reservation which is expressed in such broad terms and which refers for the most part to domestic law, and that the reservation is thus not acceptable. It therefore voices an objection to the said reservation.

Ethiopia

10 January 1979

"The Provisional Military Government of Socialist Ethiopia wishes to place on record its objection to the declaration [made by Somalia upon accession] and that it does not recognize it as valid on the ground that there are no Somali territories under alien domination."

France

23 October 1984

[Same declaration, mutatis mutandis, as the one made by Belgium.]

Germany⁵

5 December 1984

"The Federal Government views [the reservation made by Guatemala] as being worded in such general terms that its application could conceivably nullify the provisions of the Convention and the Protocol. Consequently, this reservation cannot be accepted."

Greece²²

Italy

26 November 1984

[The Government of Italy] considers [the reservation made by Guatemala] to be unacceptable since the very general terms in which it is couched and the fact that it refers for the most part to domestic law and leaves it to the Guatemalan Government to decide whether to apply numerous aspects of the Convention make it impossible for other States parties to determine the scope of the reservation.

Luxembourg

[For the interpretative statement by Luxembourg concerning the reservation by Guatemala, see under "Declarations other than those made under section B of article 1 and Reservations" in this chapter.]

Netherlands

11 December 1984

Regarding the reservation made by Guatemala upon accession:

"The Government of the Kingdom of the Netherlands is of the opinion that a reservation phrased in such general terms and referring to the domestic law only is undesirable, since its scope is not entirely clear."

Territorial Application

Participant:	Date of receipt of the notification:	Territories:
Australia	22 Jan 1954	Norfolk Island, Papua New Guinea and Nauru
Denmark	4 Dec 1952	Greenland
France	23 Jun 1954	All territories for the international relations of which France is responsible
Netherlands ⁷	29 Jul 1971	Surinam
United Kingdom ^{8,18,21,30,31,32,33,34,35,36}	11 Mar 1954	The Channel Islands and the Isle of Man
	25 Oct 1956	The following territories with reservations: British Solomon Islands Protectorate, Cyprus, Dominica, Falkland Islands, Fiji, Gambia, Gilbert and Ellice Islands, Grenada, Jamaica, Kenya, Mauritius, St. Vincent, Seychelles, Somaliland Protectorate, Zanzibar and St. Helena
	19 Jun 1957	British Honduras
	11 Jul 1960	Federation of Rhodesia and Nyasaland
	11 Nov 1960	Basutoland, Bechuanaland Protectorate and Swaziland
	4 Sep 1968	St. Lucia, Montserrat
	20 Apr 1970	The Bahama Islands

Declarations and reservations made upon notifications of territorial application

Denmark

Greenland

Subject to the reservations made on ratification by the Government of Denmark.

Netherlands⁷

Surinam

The extension is subject to the following reservations, which had been made in substance by the Government of the Netherlands upon ratification:

"1. that in all cases where the Convention, in conjunction with the Protocol, grants to refugees the most favourable treatment accorded to nationals of a foreign country, this

provision shall not be interpreted as involving the régime accorded to nationals of countries with which the Kingdom of the Netherlands has concluded regional, customs, economic or political agreements which apply to Surinam;

"2. that the Government of Surinam as regards article 26 of the Convention, in conjunction with article 1, paragraph 1, of the Protocol, reserves the right for reasons of public order to appoint for certain refugees or groups of refugees a principal place of residence."

United Kingdom of Great Britain and Northern Ireland
[8,18,21,31,32,33,34,35,36](#)

The Channel Islands and the 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 refugee on the ground of his 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 the 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 accept paragraph 2 of article 17 in its application to the Isle of Man and the Channel Islands with the substitution of "four years" for "three years" in sub-paragraph (a) and with the omission of subparagraph (c).

"(iii) 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, and of paragraph 2 of that article will be applied in the Isle of Man so far as the law allows.

"(iv) 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.

"The considerations upon which certain of these reservations are based are similar to those set out in the memorandum relating to the corresponding reservations made in respect of the United Kingdom, which was enclosed in my note under reference."

**British Solomon Islands Protectorate, Cyprus, Dominica, Falkland Islands, Fiji,
Gambia, Gilbert and Ellice Islands, Grenada, Jamaica, Kenya, Mauritius, St. Vincent,
Seychelles and Somaliland Protectorate**

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

Zanzibar and St. Helena

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

British Honduras

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

Federation of Rhodesia and Nyasaland

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

Basutoland, Bechuanaland Protectorate and Swaziland

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

The Bahama Islands

"Subject to the following reservation in respect of paragraphs 2 and 3 of article 17 of the Convention:

"Refugees and their dependants would normally be subject to the same laws and regulations relating generally to the employment of non-Bahamians within the Commonwealth of the Bahama Islands, so long as they have not acquired Bahamian status."

NOTES

1. Official Records of the General Assembly, Fifth Session, Supplement No. 20 (A/1775), p.48.

2. The former Yugoslavia had signed and ratified the Convention on 28 July 1951 and 15 December 1959, respectively declaring that it considered itself bound by alternative (b) of Section B(1) of the Convention.. See also note 1 under "Bosnia and Herzegovina", "Croatia", "former Yugoslavia", "Slovenia", "The Former Yugoslav Republic of Macedonia" and "Yugoslavia" in the "Historical Information" section in the front matter of this volume.

3. On 27 April 1999, the Government of Portugal informed the Secretary-General that the Convention would apply to Macao. Subsequently, on 18 November and 3 December 1999, the Secretary-General received communications concerning the status of Macao from the Governments of China and Portugal (see also note 3 under "China" and note 1 under "Portugal" regarding Macao in the "Historical Information" section in the front matter of this volume). Upon resuming the exercise of sovereignty over Macao, China notified the Secretary-General that the Convention with the reservation made by China will also apply to the Macao Special Administrative Region.

4. Czechoslovakia had acceded to the Convention on 26 November 1991 declaring that it considered itself bound by alternative (b) of Section B (1) of the Convention. See also note 1 under "Czech Republic" and note 1 under "Slovakia" in the "Historical Information" section in the front matter of this volume.

5. The German Democratic Republic had acceded to the Convention on 4 September 1990 choosing alternative (b) of Section B (1) of the Convention. See also note 2 under "Germany" in the "Historical Information" section in the front matter of this volume.

6. See note 1 under "Germany" regarding Berlin (West) in the "Historical Information" section in the front matter of this volume.

7. Upon notifying its succession (29 November 1978) the Government of Suriname informed the Secretary-General that the Republic of Suriname did not succeed to the reservations formulated on 29 July 1951 by the Netherlands when the Convention and Protocol relating to the Status of Refugees were extended to Suriname.

8. In a declaration contained in the notification of succession to the Convention, the Government of Tuvalu confirmed that it regards the Convention [. . .] as continuing in force subject to reservations previously made by the Government of the United Kingdom of Great Britain and Northern Ireland in relation to the Colony of the Gilbert and Ellice Islands.

9. The instrument of accession was accompanied by the following communication:

"Having transmitted to the Secretary-General the Instrument of Accession of Ukraine simultaneously to the 1951 Convention and 1967 Protocol relating to the status of refugees, and in view of the fact that the Protocol provides in article I (2) that 'the term 'refugee' shall...mean any person within the definition of article 1 of the Convention as if the words 'As result of events occurring before 1 January 1951 and...' and the words '...as a result of such events' in article I A (2) were omitted" and thus modifies in effect the provisions of article 1 of the Convention, it is the position of the Government of Ukraine that no separate declaration under article 1 B (1) of the Convention is required in the circumstances."

10. The formality was effected by the Yemen Arab Republic. See also note 1 under "Yemen" in the "Historical Information" section in the front matter of this volume.

11. States having previously specified alternative (a) under section B(1) of article 1. For the date of receipt of the modification of choice to alternative (b), see note [12](#).

12. Notifications of the extension of their obligations under the Convention by adopting alternative (b) of section B (1) of article 1 of the Convention were received by the Secretary-General on the dates indicated:

Participant:	Date of notification:
Argentina	15 Nov 1984
Australia	1 Dec 1967
Benin	6 Jul 1970
Brazil	14 Feb 1990
Cameroon	29 Dec 1961

Central African Republic	15 Oct 1962
Chile	28 Jan 1972
Colombia	10 Oct 1961
Côte d'Ivoire	20 Dec 1966
Ecuador	1 Feb 1972
France	3 Feb 1971
Holy See	17 Nov 1961
Hungary	8 Jan 1998
Iran (Islamic Republic of)	27 Sep 1976
Italy	1 Mar 1990
Latvia	3 Nov 1997
Luxembourg	22 Aug 1972
Malta	17 Jan 2002
Niger	7 Dec 1964
Paraguay	10 Jan 1991
Peru	8 Dec 1980
Portugal	13 Jul 1976
Senegal	12 Oct 1964
Sudan	7 Mar 1974
Togo	23 Oct 1962

13. *On 21 January 1983, the Secretary-General received from the Government of Botswana the following communication:*

"Having simultaneously acceded to the Convention and Protocol [relating to the status of refugees done at New York on 31 January 1967] on the 6th January 1969 and in view of the fact that the Protocol provides in article I (2) that the term 'refugee' shall ...mean any person within the definition of article 1 of the Convention' as if the words 'As a result of events occurring before 1 January 1951 and' . . . and the words ' . . . as a result of such events', in article [I(A)(2)] were omitted and thus modifies in effect the provisions of article 1 of the Convention, it is the position of the Government of Botswana that no separate declaration under article 1.B(1) of the Convention is required in the circumstances."

On the basis of the afore-mentioned communication, the Secretary-General has included Botswana in the list of States having chosen formula (b) under section B of article 1.

Subsequently, in a communication, received by the Secretary-General on 29 April 1986, and with reference to article 1 B (1) of the above-mentioned Convention, the Government of Botswana confirmed that it has no objection to be listed among the States applying the Convention without any geographical limitation.

14. *The instrument of accession contains the following declaration:*

"... The mandatory declaration specifying which of the two meanings in Article 1 (B) (1) a Contracting State applies for the purpose of its obligations under the Convention has been superseded by the provisions of Article 1 of the Protocol Relating to the Status of Refugees of

31 January 1967. Furthermore, the previous date-line would render Malawi's accession nugatory.

"Consequently, and since [the Government of the Republic of Malawi] is simultaneously acceding to the said Protocol, the obligations hereby assumed by the Government of the Republic of Malawi are not limited by the previous dateline or bounded by the concomitant geographic limitation in the Convention."

On the basis of the above declaration, the Secretary-General has included Malawi in the list of States having chosen formula (b) under section B of article 1.

Further, on 4 February 1988, the Secretary-General received the following declaration from the Government of Malawi:

"When making the declaration under Section B of article 1 of the Convention, the Government of the Republic of Malawi intended and intends to apply the Convention and the Protocol thereto liberally in the lines of article 1 of the Protocol without being bounded by the geographic limitation or the dateline specified in the Convention.

"In the view of the Government of the Republic of Malawi the formula in the Convention is static and the Government of the Republic of Malawi's position, as stated, merely seeks to assist in the progressive development of international law in this area as epitomised by the 1967 Protocol. It is therefore the view of the Government of the Republic of Malawi that the declaration is consistent with the objects and purposes of the Convention and it entails the assumption of obligation beyond but perfectly consistent with those of the Convention and the Protocol thereto."

In view of the said declaration, Malawi remains listed among those States which, in accordance with Section B of article 1 of the Convention, will apply the said Convention to events occurring in Europe or elsewhere before 1 January 1951.

15. In a communication received on 1 December 1967, the Government of Australia notified the Secretary-General of the withdrawal of the reservations to articles 17, 18, 19, 26 and 32, and, in a communication received by the Secretary-General on 11 March 1971, of the withdrawal of the reservation to paragraph 1 of article 28 of the Convention. For the text of those reservations, see United Nations, Treaty Series, vol.189, p.202.

16. These reservations replace those made at the time of signature. For the text of reservations made on signature, see United Nations, Treaty Series, vol.189, p.186.

17. On 7 April 1972, upon its accession to the Protocol relating to the Status of Refugees done at New York on 31 January 1967, the Government of Brazil withdraws its reservations excluding articles 15 and 17, paragraphs 1 and 3, from its application to the Convention. For the text of the said reservations, see United Nations, Treaty Series, vol. 380, p.430.

18. On notifying its succession to the Convention, the Government of Cyprus confirmed the reservations made at the time of the extension of the Convention to its territory by the Government of the United Kingdom of Great Britain and Northern Ireland. For the text of

these reservations, see "Declarations and reservations made upon notification of territorial application" under United Kingdom.

19. In a communication received on 23 August 1962, the Government of Denmark informed the Secretary-General of its decision to withdraw as from 1 October 1961 the reservation to article 14 of the Convention.

In a communication received on 25 March 1968, the Government of Denmark informed the Secretary-General of its decision to withdraw as from that date the reservations made on ratification to paragraphs 1, 2 and 3 of article 24 and partially the reservation made on ratification to article 17 by rewording the said reservation. For the text of the reservations originally formulated by the Government of Denmark on ratification, see United Nations, Treaty Series, vol.189, p.198.

20. On 7 October 2004, the Government of Finland informed the Secretary-General of the following:

"WHEREAS the Instrument of Accession contained reservations, inter alia, to Article 7, paragraph 2; Article 8; Article 12, paragraph 1; Article 24, paragraph 1 (b) and paragraph 3; Article 25 and Article 28, paragraph 1 in the Convention;

NOW THEREFORE the Government of the Republic of Finland do hereby withdraw the said reservations, while the general reservation concerning nationals of Denmark, Iceland, Norway and Sweden and the reservation on Article 24, paragraph 3, will remain."

The original reservations made upon accession, read as follows:

"[S]ubject to the following reservations: (1) A general reservation to the effect that the application of those provisions of the Convention which grant to refugees 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 refugees 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) A reservation to article 12, paragraph 1, to the effect that the Convention shall not modify the rule of Finnish private international law, as now in force, under which the personal status of a refugee is governed by the law of his country of nationality;

(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 paragraph 1 of article 28. Finland does not accept the obligations stipulated in the said paragraph, but is prepared to recognize travel documents issued by other Contracting States pursuant to this article."

21. On notifying its succession to the Convention, the Government of Gambia confirmed the reservations made at the time of the extension of the Convention to its territory by the Government of the United Kingdom of Great Britain and Northern Ireland.

22. In a communication received by the Secretary-General on 19 April 1978, the Government of Greece declared that it withdrew the reservations that it had made upon ratification pertaining to articles 8, 11, 13, 24 (3), 26, 28, 31, 32 and 34, and also the objection contained in paragraph 6 of the relevant declaration of reservations by Greece is also withdrawn.

Subsequently, in a notification received on 27 February 1995, the Government of Greece notified the Secretary-General that it had decided to withdraw its reservation to article 17 made upon ratification. For the text of the reservations and objection so withdrawn, see United Nations, Treaty Series, vol. 354, p.402.

23. In a communication received on 23 October 1968, the Government of Ireland notified the Secretary-General of the withdrawal of two of its reservations in respect of article 29 (1), namely those indicated at (a) and (b) of paragraph 5 of declarations and reservations contained in the instrument of accession by the Government of Ireland to the Convention; for the text of the withdrawn reservations, see United Nations, Treaty Series, vol. 254, p.412.

24. In a communication received on 20 October 1964, the Government of Italy has notified the Secretary-General that "it withdraws the reservations made at the time of signature, and confirmed at the time of ratification, to articles 6, 7, 8, 19, 22, 23, 25 and 34 of the Convention [see United Nations, Treaty Series, vol.189, p. 192]. The above-mentioned reservations are inconsistent with the internal provisions issued by the Italian Government since the ratification of the Convention. The Italian Government also adopted in December 1963 provisions which implement the contents of paragraph 2 of article 17".

Furthermore, the Italian Government confirms that "it maintains its declaration made in accordance with section B (1) of article 1, and that it recognizes the provisions of articles 17 and 18 as recommendations only". (See also note [12.](#))

Subsequently, in a communication received on 1 March 1990, the Government of Italy notified the Secretary-General that it had decided to withdraw the declaration by which the provisions of articles 17 and 18 were recognized by it as recommendations only. For the complete text of the reservations see United Nations, Treaty Series, vol. 189, p.192.

25. The instrument of accession deposited by the Government of Malta was accompanied by the following reservation:

"Article 7, paragraph 2, articles 14, 23, 27 and 28 shall not apply to Malta, and article 7, paragraphs 3, 4 and 5, articles 8, 9, 11, 17, 18, 31, 32 and 34 shall apply to Malta compatibly with its own special problems, its peculiar position and characteristics."

On 17 January 2002, the Secretary-General received the following communication from the Government of Malta:

"The Government of Malta.....hereby withdraws the reservations relating to article 7 (2), Articles 14, 27, 28, 7 (3)(4), (5), 8, 9, 17, 18, 31 and 32; ... and confirms that: "Article 23 shall not apply to Malta, and articles 11, and 34 shall apply to Malta compatibly and with its own special problems, its peculiar position and characteristics." Further, on 24 February 2004, the Secretary-General received from the Government of Malta, the following communication:

[The Government of Malta] "declare that the Government of Malta, having reviewed the remaining reservations and declaration, hereby withdraws the reservations relating to Article 23, and the reservations in respect of Articles 11 and 34 wherein these applied to Malta compatibly with its own special problems, its peculiar positions and characteristics."

26. *In a communication received by the Secretary-General on 21 January 1954, the Government of Norway gave notice of the withdrawal, with immediate effect, of the reservation to article 24 of the Convention, "as the Acts mentioned in the said reservation have been amended to accord to refugees lawfully staying in the country the same treatment as is accorded to Norwegian nationals". For the text of that reservation, see United Nations, Treaty Series, vol.189, p.198.*

27. *The text, which was communicated in a notification received on 13 July 1976, replaces the reservations originally made by Portugal upon accession. For the text of the reservations withdrawn, see United Nations, Treaty Series, vol. 383, p.314.*

28. *In a communication received on 20 April 1961, the Government of Sweden gave notice of the withdrawal, as from 1 July 1961, of the reservation to article 14 of the Convention.*

In a communication received on 25 November 1966, the Government of Sweden has notified the Secretary-General that it has decided, in accordance with paragraph 2 of article 42 of the Convention, to withdraw some of its reservations to article 24, paragraph 1 (b), by rewording them and to withdraw the reservation to article 24, paragraph 2.

In a communication received on 5 March 1970, the Government of Sweden notified the Secretary-General of the withdrawal of its reservation to article 7, paragraph 2, of the Convention.

For the text of the reservations as originally formulated by the Government of Sweden upon ratification, see United Nations, Treaty Series, vol. 200, p. 336.

29. *In a communication received on 18 February 1963, the Government of Switzerland gave notice to the Secretary-General of the withdrawal of the reservation made at the time of ratification to article 24, paragraph 1 (a) and (b) and paragraph 3, of the Convention, in so far as that reservation concerns old-age and survivors' insurance.*

In a communication received on 3 July 1972, the Government of Switzerland gave notice of its withdrawal of the reservation to article 17 formulated in its instrument of ratification of the Convention.

In a communication received on 17 December 1980, the Government of Switzerland gave notice of its withdrawal, in its entirety, of the subsisting reservation formulated in respect of article 24, number 1, letters a and b, which encompasses training, apprenticeship and unemployment insurance with effect from 1 January 1981, date of entry into force of the Swiss Law on Asylum of 5 October 1979. For the text of the reservations made initially, see United Nations, Treaty Series, vol. 202, p. 368.

30. *On 3 October 1983, the Secretary-General received from the Government of Argentina the following objection :*

[The Government of Argentina makes a] formal objection to the declaration of territorial extension issued by the United Kingdom with regard to the Malvinas Islands (and dependencies), which that country is illegally occupying and refers to as the "Falkland Islands".

The Argentine Republic rejects and considers null and void the [declaration] of territorial extension.

With reference to the above-mentioned objection the Secretary-General received, on 28 February 1985, from the Government of the United Kingdom of Great Britain and Northern Ireland the following declaration:

"The Government of the United Kingdom of Great Britain and Northern Ireland have no doubt as to their right, by notification to the Depositary under the relevant provisions of the above-mentioned Convention, to extend the application of the Convention in question to the Falkland Islands or to the Falkland Islands Dependencies, as the case may be.

For this reason alone, the Government of the United Kingdom are unable to regard the Argentine [communication] under reference as having any legal effect."

31. *See note 1 under "United Kingdom of Great Britain and Northern Ireland" in the "Historical Information" section in the front matter of this volume.*

32. *In a letter addressed to the Secretary-General on 22 March 1968, the President of the Republic of Malawi, referring to the Convention relating to the Status of Refugees, done at Geneva on 28 July 1951, stated the following:*

"In my letter to you of the 24th November 1964, concerning the disposition of Malawi's inherited treaty obligations, my Government declared that with respect to multilateral treaties which had been applied or extended to the former Nyasaland Protectorate, any Party to such a treaty could on the basis of reciprocity rely as against Malawi on the terms of such treaty until Malawi notified its depositary of what action it wished to take by way of confirmation of termination, confirmation of succession, or accession.

"I am now to inform you as depositary of this Convention that the Government of Malawi wishes to terminate any connection with this Convention which it might have inherited. The

Government of Malawi considers that any legal relationship with the aforementioned Convention relating to the Status of Refugees, Geneva, 1951 which might have devolved upon it by way of succession from the ratification of the United Kingdom, is terminated as of this date."

See succession by Zambia.

33. *See succession by Botswana (formerly Bechuanaland Protectorate).*

34. *See succession by Fiji.*

35. *See succession by Jamaica.*

36. *See succession by Kenya.*