

2. CONVENTION RELATING TO THE STATUS OF REFUGEES

Geneva, 28 July 1951

ENTRY INTO FORCE: 22 April 1954, in accordance with article 43.
REGISTRATION: 22 April 1954, No. 2545.
STATUS: Signatories: 19. Parties: 144.
TEXT: United Nations, *Treaty Series*, vol. 189, p. 137.

Note: 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)¹, adopted by the General Assembly of the United Nations on 14 December 1950.

<i>Participant</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>
Afghanistan.....		30 Aug 2005 a	Côte d'Ivoire.....		8 Dec 1961 d
Albania.....		18 Aug 1992 a	Croatia ²		12 Oct 1992 d
Algeria.....		21 Feb 1963 d	Cyprus.....		16 May 1963 d
Angola.....		23 Jun 1981 a	Czech Republic ⁴		11 May 1993 d
Antigua and Barbuda		7 Sep 1995 a	Democratic Republic of the Congo.....		19 Jul 1965 a
Argentina.....		15 Nov 1961 a	Denmark.....	28 Jul 1951	4 Dec 1952
Armenia.....		6 Jul 1993 a	Djibouti.....		9 Aug 1977 d
Australia.....		22 Jan 1954 a	Dominica.....		17 Feb 1994 a
Austria.....	28 Jul 1951	1 Nov 1954	Dominican Republic		4 Jan 1978 a
Azerbaijan.....		12 Feb 1993 a	Ecuador.....		17 Aug 1955 a
Bahamas.....		15 Sep 1993 a	Egypt.....		22 May 1981 a
Belarus.....		23 Aug 2001 a	El Salvador.....		28 Apr 1983 a
Belgium.....	28 Jul 1951	22 Jul 1953	Equatorial Guinea		7 Feb 1986 a
Belize.....		27 Jun 1990 a	Estonia.....		10 Apr 1997 a
Benin.....		4 Apr 1962 d	Ethiopia.....		10 Nov 1969 a
Bolivia.....		9 Feb 1982 a	Fiji.....		12 Jun 1972 d
Bosnia and Herzegovina ²		1 Sep 1993 d	Finland.....		10 Oct 1968 a
Botswana.....		6 Jan 1969 a	France.....	11 Sep 1952	23 Jun 1954
Brazil.....	15 Jul 1952	16 Nov 1960	Gabon.....		27 Apr 1964 a
Bulgaria.....		12 May 1993 a	Gambia.....		7 Sep 1966 d
Burkina Faso.....		18 Jun 1980 a	Georgia.....		9 Aug 1999 a
Burundi.....		19 Jul 1963 a	Germany ^{5,6}	19 Nov 1951	1 Dec 1953
Cambodia.....		15 Oct 1992 a	Ghana.....		18 Mar 1963 a
Cameroon.....		23 Oct 1961 d	Greece.....	10 Apr 1952	5 Apr 1960
Canada.....		4 Jun 1969 a	Guatemala.....		22 Sep 1983 a
Central African Republic.....		4 Sep 1962 d	Guinea.....		28 Dec 1965 d
Chad.....		19 Aug 1981 a	Guinea-Bissau.....		11 Feb 1976 a
Chile.....		28 Jan 1972 a	Haiti.....		25 Sep 1984 a
China ³		24 Sep 1982 a	Holy See.....	21 May 1952	15 Mar 1956
Colombia.....	28 Jul 1951	10 Oct 1961	Honduras.....		23 Mar 1992 a
Congo.....		15 Oct 1962 d	Hungary.....		14 Mar 1989 a
Costa Rica.....		28 Mar 1978 a	Iceland.....		30 Nov 1955 a
			Iran (Islamic Republic		28 Jul 1976 a

<i>Participant</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Accession(a), Succession(d), Ratification</i>
of).....			Rwanda		3 Jan 1980 a
Ireland		29 Nov 1956 a	Samoa		21 Sep 1988 a
Israel.....	1 Aug 1951	1 Oct 1954	Sao Tome and Principe .		1 Feb 1978 a
Italy	23 Jul 1952	15 Nov 1954	Senegal.....		2 May 1963 d
Jamaica.....		30 Jul 1964 d	Serbia ²		12 Mar 2001 d
Japan		3 Oct 1981 a	Seychelles		23 Apr 1980 a
Kazakhstan.....		15 Jan 1999 a	Sierra Leone.....		22 May 1981 a
Kenya.....		16 May 1966 a	Slovakia ⁴		4 Feb 1993 d
Kyrgyzstan		8 Oct 1996 a	Slovenia ²		6 Jul 1992 d
Latvia		31 Jul 1997 a	Solomon Islands.....		28 Feb 1995 a
Lesotho.....		14 May 1981 a	Somalia		10 Oct 1978 a
Liberia.....		15 Oct 1964 a	South Africa.....		12 Jan 1996 a
Liechtenstein.....	28 Jul 1951	8 Mar 1957	Spain		14 Aug 1978 a
Lithuania		28 Apr 1997 a	St. Kitts and Nevis		1 Feb 2002 a
Luxembourg.....	28 Jul 1951	23 Jul 1953	St. Vincent and the Grenadines		3 Nov 1993 a
Madagascar		18 Dec 1967 a	Sudan		22 Feb 1974 a
Malawi		10 Dec 1987 a	Suriname ⁷		29 Nov 1978 d
Mali.....		2 Feb 1973 d	Swaziland.....		14 Feb 2000 a
Malta		17 Jun 1971 a	Sweden.....	28 Jul 1951	26 Oct 1954
Mauritania.....		5 May 1987 a	Switzerland	28 Jul 1951	21 Jan 1955
Mexico		7 Jun 2000 a	Tajikistan		7 Dec 1993 a
Monaco		18 May 1954 a	The former Yugoslav Republic of Macedonia ²		18 Jan 1994 d
Montenegro.....		10 Oct 2006 d	Timor-Leste		7 May 2003 a
Morocco		7 Nov 1956 d	Togo.....		27 Feb 1962 d
Mozambique		16 Dec 1983 a	Trinidad and Tobago.....		10 Nov 2000 a
Namibia.....		17 Feb 1995 a	Tunisia		24 Oct 1957 d
Netherlands	28 Jul 1951	3 May 1956	Turkey.....	24 Aug 1951	30 Mar 1962
New Zealand		30 Jun 1960 a	Turkmenistan		2 Mar 1998 a
Nicaragua.....		28 Mar 1980 a	Tuvalu ⁸		7 Mar 1986 d
Niger		25 Aug 1961 d	Uganda.....		27 Sep 1976 a
Nigeria		23 Oct 1967 a	Ukraine ⁹		10 Jun 2002 a
Norway.....	28 Jul 1951	23 Mar 1953	United Kingdom of Great Britain and Northern Ireland.....	28 Jul 1951	11 Mar 1954
Panama.....		2 Aug 1978 a	United Republic of Tanzania.....		12 May 1964 a
Papua New Guinea.....		17 Jul 1986 a	Uruguay		22 Sep 1970 a
Paraguay.....		1 Apr 1970 a	Yemen ¹⁰		18 Jan 1980 a
Peru		21 Dec 1964 a	Zambia		24 Sep 1969 d
Philippines.....		22 Jul 1981 a	Zimbabwe		25 Aug 1981 a
Poland		27 Sep 1991 a			
Portugal ³		22 Dec 1960 a			
Republic of Korea.....		3 Dec 1992 a			
Republic of Moldova		31 Jan 2002 a			
Romania		7 Aug 1991 a			
Russian Federation.....		2 Feb 1993 a			

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"

Participant

Congo
Madagascar
Monaco
Turkey

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

Participant

Afghanistan
Albania
Algeria
Antigua and Barbuda
Argentina^{11,12}
Armenia
Australia¹²
Austria
Azerbaijan
Bahamas
Belarus
Belgium
Belize
Benin¹²
Bolivia
Bosnia and Herzegovina²
Botswana¹³
Brazil¹²
Bulgaria
Burkina Faso
Burundi
Cameroon¹²
Canada
Central African Republic¹²
Chad
Chile¹²
Colombia^{11,12}
Costa Rica
Côte d'Ivoire¹²
Croatia²
Cyprus

Participant

Czech Republic⁴
Democratic Republic of the Congo
Denmark
Djibouti
Dominica
Dominican Republic
Ecuador¹²
Egypt
El Salvador
Equatorial Guinea
Estonia
Ethiopia
Fiji
Finland
France¹²
Gabon
Gambia
Georgia
Germany⁶
Ghana
Greece
Guatemala
Guinea
Guinea-Bissau
Haiti
Holy See¹²
Honduras
Hungary^{11,12}
Iceland
Iran (Islamic Republic of)¹²
Ireland
Israel
Italy¹²
Jamaica
Japan
Kazakhstan
Kenya
Kyrgyzstan
Latvia^{11,12}
Lesotho
Liberia
Liechtenstein
Lithuania
Luxembourg¹²
Malawi¹⁴
Mali

Participant

Malta¹²
Mauritania
Mexico
Moldova
Montenegro
Morocco
Mozambique
Namibia
Netherlands
New Zealand
Nicaragua
Niger¹²
Nigeria
Norway
Panama
Papua New Guinea
Paraguay^{11,12}
Peru¹²
Philippines
Portugal¹²
Republic of Korea
Romania
Russian Federation
Rwanda
Samoa
Sao Tome and Principe
Senegal¹²
Serbia²
Seychelles
Sierra Leone
Slovakia⁴
Slovenia²
Solomon Islands
Somalia
South Africa
Spain
St. Kitts and Nevis
St. Vincent and the Grenadines
Sudan¹²
Suriname
Swaziland
Sweden
Switzerland
Tajikistan
The former Yugoslav Republic of
Macedonia²

Participant

Timor-Leste
Togo¹²
Trinidad and Tobago
Tunisia
Turkmenistan
Tuvalu
Uganda
United Kingdom of Great Britain
and Northern Ireland
United Republic of Tanzania
Uruguay
Yemen¹⁰
Zambia
Zimbabwe

Declarations and Reservations

(Unless otherwise indicated, the declarations and reservations were made upon ratification, accession or succession.)

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."

GUATEMALA²³

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.

IRELAND²⁴

"[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."

ITALY²⁵

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."

LIECHTENSTEIN²⁶

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."

MALTA²⁷

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 I 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."

NORWAY²⁸

"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.

PORTUGAL²⁹

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 KOREA³⁰

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 Re public 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.

SWEDEN³¹

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.

SWITZERLAND³²

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.]

GERMANY

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

<i>Participant</i>	<i>Date of receipt of the notification</i>	<i>Territories</i>
Australia	22 Jan 1954	Nauru, Norfolk Island and Papua New Guinea
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	Suriname
United Kingdom of Great Britain and Northern Ireland ^{8,18,21,33,34,35,36,37,38,39}	11 Mar 1954	Channel Islands and 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	Montserrat and St. Lucia
	20 Apr 1970	Bahama Islands

Declarations and Reservations

(Unless otherwise indicated the declarations and reservations were made upon notification 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^{8,18,21,33,34,35,36,38,39}

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

⁶ 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.

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 1 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 I 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.

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:

<i>Participant</i>	<i>Date of notification</i>		
Argentina	5	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, 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 26 April 2007, the Government of the Republic of Guatemala notified the Secretary-General that it has decided to withdraw the reservation and declaration made upon accession to the Convention. The text of the reservation and declaration withdrawn reads as follows:

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.

²⁴ 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.

²⁵ 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.

²⁶ On 13 October 2009, the Government of Liechtenstein informed the Secretary-General that it had decided to withdraw the reservations concerning articles 17 and 24 of the Convention made upon Ratification. The texts of the reservations withdrawn read as follows:

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, paragraph 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.

²⁷ 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."

²⁸ 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.

²⁹ 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.

³⁰ In a communication received on 1 September 2009, the Government of the Republic of Korea notified the Secretary-General that it has decided to withdraw the reservation in respect to article 7 made upon accession to the Convention as of 8 September 2009. The text of the reservation withdrawn reads as follows:

"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."

³¹ 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.

³² 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.

³³ See succession by Jamaica.

³⁴ See succession by Kenya.

³⁵ 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.

³⁶ See succession by Botswana (formerly Bechuanaland Protectorate).

³⁷ 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."

³⁸ See note 1 under "United Kingdom of Great Britain and Northern Ireland" in the "Historical Information" section in the front matter of this volume.

³⁹ See succession by Fiji.