

The Council of Europe conventions on nationality provide states with internationally accepted rules to be implemented in their domestic law.

Acceding to these conventions improves international co-operation on nationality issues, such as:

- acquisition and loss of nationality;
- multiple nationalities;
- statelessness, including in cases of state succession; and
- nationality and military or alternative service obligations.

The European nationality conventions help to develop a common understanding of how to implement and safeguard the right to a nationality

They complement the two United Nations Statelessness Conventions,* which provide global standards on statelessness and help European states to address nationality problems together with states that are not members of the Council of Europe.

* The 1954 Convention relating to the Status of Stateless Persons is the only treaty providing a framework for the protection of the human rights of stateless persons, notably by establishing a specific legal status for them. The 1961 Convention on the Reduction of Statelessness seeks to prevent and reduce statelessness.

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The right to a nationality

The right to a nationality is a fundamental right

The Council of Europe has produced the European Convention on Nationality (CETS No. 166 of 1997) and the Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession (CETS No. 200 of 2006).

There are substantial benefits to states and societies being a party to those European nationality conventions.

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good reasons for acceding to the European nationality conventions

- By ratifying and acceding to the European nationality conventions, states demonstrate their commitment to ensure that the human right to a nationality is effective by facilitating the possession of a nationality, the acquisition of a new one and the recovery of a former one.
- **Nationality is a human right, it is part of a person's identity.** The Universal Declaration of Human Rights (1948) emphasises that everyone has the right to a nationality, a right to change her/his nationality and a right not to be deprived of nationality. The right to a nationality is also included in many other international conventions. **The European nationality conventions codify in clear and well-balanced legal texts the principles and rules related to the right to a nationality which were previously dispersed throughout various international law sources.**
- **The European Convention on Nationality develops nationality principles broadly accepted in other international treaties such as the International Covenant on Civil and Political Rights (1966) and the UN Convention on the Rights of the Child (1989), and in international customary law and case-law.**
- **The European Convention on Nationality includes an exhaustive list of acceptable grounds for loss of nationality in order to avoid cases of arbitrary deprivation of nationality.**
- **The European Convention on Nationality offers, for the first time in a pan-European context, rules of procedure, including the states' obligations to give decisions which are motivated and the right to review.**

- By ratifying and acceding to the European nationality conventions, **states confirm their attachment to having detailed international legal rules on nationality and on avoiding statelessness.**
- The protection of the right to a nationality as a human right is of worldwide concern and **the European nationality conventions are a comprehensive set of rules of worldwide relevance.** For that reason accession to both conventions is open to all states, members as well as non-members of the Council of Europe.

- **The Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession is the first international treaty building upon the European Convention on Nationality by developing more detailed principles to be applied by states with a view to preventing, or at least reducing to the extent possible, cases of statelessness arising from state succession.**
- While regulating the obligations of the successor and predecessor states, **the Council of Europe Convention on the Avoidance of Statelessness in relation to State Succession also clarifies the rights and duties of states only indirectly concerned in the state succession process, through the presence on their territory of nationals of one of the states involved.**
- **Military obligations may be complicated for nationals with multiple nationality. The European Convention on Nationality has taken on board the well-established rules on the avoidance of double military service found in other conventions such as the Convention on the Reduction of Cases of Multiple Nationality and on Military Obligations in Cases of Multiple Nationality (ETS No. 43 of 1963) and its protocols, and by doing so gives clear and widely accepted rules on this subject.**