



SUMMARIES OF THE COUNCIL OF EUROPE TREATIES

The summaries available hereunder are designed to meet a practical need, that of supplying the public at large with concise descriptions of the Council of Europe treaties. The summaries are necessarily short and can therefore only give a first introduction to the main features of each treaty.

Subject-matter: **NATIONALITY**

Convention on the Reduction of Cases of Multiple Nationality and on Military Obligations in Cases of Multiple Nationality ([ETS No. 43](#)), open for signature, in Strasbourg, on 6 May 1963.

Entry into force: 28 March 1968.

The Convention aims to reduce as far as possible the number of cases of multiple nationality, as between Parties. It lays down rules to reduce cases of multiple nationality in the case of the acquisition of a new nationality or the renunciation of one nationality, and the legal consequences for persons concerned, including minor persons. It also contains provisions on military obligations in cases of multiple nationality.

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Protocol amending the Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality ([ETS No. 95](#)), open for signature, in Strasbourg, on 24 November 1977.

Entry into force: 8 September 1978.

The Protocol modifies certain provisions of the Convention so that a person possessing as a matter of right more than one nationality should be able to renounce by mere declaration of will the nationality of a Party in whose territory he has no ordinary residence.

It takes account of the trend of law concerning the nationality of married women and treats as withdrawn reservations made under the Convention in relation to married women.

The Protocol clarifies the provision of the Convention as regards military obligations of persons possessing multiple nationality.

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Additional Protocol to the Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality ([ETS No. 96](#)), open for signature, in Strasbourg, on 24 November 1977.

Entry into force: 17 October 1983.

The Additional Protocol to the Convention (ETS No. 43) provides that Parties are to communicate each other any acquisition of their nationality by an adult or a minor who is a national of another Party.

To this end, each Party is to designate the central authority which has been designated to receive this communication.

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Second Protocol amending the Convention on the Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality ([ETS No. 149](#)), open for signature, in Strasbourg, on 2 February 1993.

Entry into force: 24 March 1995.

The Second Protocol amends the Convention so as to reflect the evolution of society and adds three new situations in which persons can be allowed to retain their nationality of origin, namely: second-generation migrants, spouses of different nationalities and children whose parents have different nationalities.

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European Convention on Nationality ([ETS No. 166](#)), open for signature, in Strasbourg, on 6 November 1997.

Entry into force: 1 March 2000.

This Convention embodies principles and rules applying to all aspects of nationality. It is designed to make acquisition of a new nationality and recovery of a former one easier, to ensure that nationality is lost only for good reason and cannot be arbitrarily withdrawn, to guarantee that the procedures governing applications for nationality are just, fair and open to appeal, and to regulate the situation of persons in danger of being left stateless as a result of State succession. It also covers multiple nationality, military obligations and co-operation between States Parties.

The Council's text represents a synthesis of recent thinking on this question in national and international law and is the first international text to do so. It reflects the demographic and democratic changes (in particular migration and State succession which have occurred in central and eastern Europe since 1989). Some States which have recently adopted new laws on nationality have already based their laws on the text.

Some of the essential principles behind the text are:

- prevention of statelessness;
- non-discrimination: in regulating questions of nationality, states must avoid all -discrimination on grounds of sex, religion, race, colour, national or ethnic origin, etc.
- respect for the rights of persons habitually resident on the territories concerned.

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Council of Europe Convention on the avoidance of statelessness in relation to State succession ([CETS No. 200](#)), open for signature, in Strasbourg, on 19 May 2006.

Entry into force: 1 May 2009.

State succession can lead to the emergence of a large number of stateless persons. The treaty therefore builds upon the 1997 European Convention on Nationality (ETS No. 166) by developing more detailed rules 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.