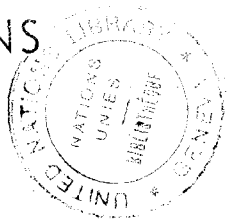


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UNITED NATIONS CONFERENCE ON TERRITORIAL ASYLUM
DRAFTING COMMITTEE
Geneva, 10 January - 4 February 1977

Article 1

Grant of Asylum

1. At its sixth meeting, on 19 January 1977, the Committee of the Whole adopted the text contained in the Group of Experts report (A/10177, para. 49) for article 1, which had been incorporated in the texts proposed by Nigeria (A/CONF.78/C.1/L.2, article 2) and Ghana (A/CONF.78/C.1/L.6, article 1, paragraph 1) and in the amendments by Ecuador (A/CONF.78/C.1/L.11, article 1, paragraph 1) and Denmark (A/CONF.78/C.1/L.15, article 1, paragraph 1), as amended by the amendment submitted by Jordan (A/CONF.78/C.1/L.16) and referred it to the Drafting Committee. The adopted text reads as follows:

"Article 1

Each Contracting State, acting in the exercise of its sovereign rights, shall endeavour in a humanitarian spirit to grant asylum in its territory to any person eligible for the benefits of this Convention."

2. The Committee, at the same meeting, also referred to the Drafting Committee the drafting points reflected in the amendment by Peru (A/CONF.78/C.1/L.30) as well as the drafting point reflected in the text proposed by Austria (A/CONF.78/C.1/L.5) that the phrase "sovereign rights" be replaced by the word "sovereignty".

3. At its seventh meeting, on 19 January 1977, the Committee of the Whole adopted the text of an additional paragraph contained in an amendment by Denmark (A/CONF.78/C.1/L.15, article 1, paragraph 2), orally incorporated into the text proposed by Ghana (A/CONF.78/C.1/L.6, article 1, paragraph 2), on the understanding that it would be for the Drafting Committee to recommend the final place that the provision may have in the text of the overall Convention. That text of the adopted additional paragraph reads as follows:

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"Asylum should not be refused by a Contracting State solely on the ground that it could be sought from another State. Where it appears that a person before requesting asylum from a Contracting State has established a connexion or already has close links with another State, the Contracting State may, if it appears fair and reasonable, require him first to request asylum from that State."