

Dual Distribution

CONFERENCE OF PLENIPOTENTIARIES  
ON THE STATUS OF REFUGEES AND  
STATELESS PERSONS

(Item 6 of the agenda)

DRAFT CONVENTION RELATING  
TO THE STATUS OF REFUGEES

Text of Articles adopted by the Conference  
on 4 and 5 July 1951

Article 5 (a)

Nothing in this Convention shall prevent a Contracting State, in time of war or other grave and exceptional circumstance, from taking provisional measures which it considers to be essential to the national security in the case of a particular person, pending a determination by the Contracting State that that person is in fact a refugee and that such measures are still necessary in his case in the interests of national security.

Article 6

Continuity of residence

The Contracting States agree that :

1. Where a refugee has been forcibly displaced during the Second World War and removed to the territory of a Contracting State, and is residing there, the period of such enforced sojourn shall be considered to have been lawful residence within that territory.

2. Where a refugee has been forcibly displaced during the second World War from the territory of a Contracting State and has subsequently returned there prior to the date of the entering into force of this Convention, the period of residence before and after such enforced displacement shall be regarded as one uninterrupted period for any purposes for which uninterrupted residence is required.

#### Article 8

##### Movable and immovable property

The Contracting States shall accord to a refugee treatment as favourable as possible and, in any event, not less favourable than that accorded generally to aliens in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto, and to leases and other contracts relating to movable and immovable property.

#### Article 9

##### Artistic rights and industrial property

In respect of the protection of industrial property, such as inventions, industrial designs or models, trade marks, trade names, and of rights in literary, scientific and artistic works, a refugee shall be accorded in the country in which he has his habitual residence the same protection as is accorded to nationals of that country. In the territory of any other Contracting State, he shall be accorded the same protection as is accorded in that territory to nationals of the country in which he has his habitual residence.

#### Article 10

##### Right of Association

As regards non-political and non-profit-making associations and trade unions the Contracting States shall accord to refugees lawfully in their

territory the most favourable treatment accorded to nationals of a foreign country, in the same circumstances.

Article 11

Access to Courts

1. A refugee shall have free access to the courts of law on the territory of the Contracting States.
2. In the country in which he has his habitual residence, a refugee shall enjoy in this respect the same rights and privileges as a national. He shall, on the same conditions as a national, enjoy the benefit of legal assistance and be exempt from cautio judicatum solvi.
3. In countries other than that in which he has his habitual residence, a refugee shall be accorded, in these matters, the treatment granted to a national of the country of his habitual residence.