



LIMITED

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Dual DistributionCONFERENCE OF PLLENIPOTENTIARIES
ON THE STATUS OF REFUGEES AND
STATELESS PERSONS

(Item 6 of the agenda)

DRAFT CONVENTION RELATING
TO THE STATUS OF REFUGEESText of Articles adopted on 18 July 1951Article 3 (B)

For the purpose of this Convention the term "in the same circumstances" implies that any requirements (including requirements as to length and conditions of sojourn or residence) which the particular individual would have to fulfil for the enjoyment of the right in question, if he were not a refugee, must be fulfilled by him, with the exception of requirements which by their nature a refugee is incapable of fulfilling.

Article 31

Each of the Contracting States shall communicate to the Secretary-General of the United Nations the laws and regulations which it may adopt to ensure the application of this Convention.

Article 32

Relation to previous Conventions

1. Without prejudice to article 23, paragraph 2, of this Convention, this Convention replaces the Arrangements of 5 July 1922, 31 May 1924, 12 May 1926, 30 June 1928 and 30 July 1935, the Conventions of 28 October 1933 and 10 February 1938, and the Agreement of 15 October 1946, as between all parties to this Convention.
2. As between two States parties to a previous instrument mentioned in paragraph 1 of this article, one of which is not party to this Convention, the previous agreement shall continue in force.
3. Each of the above-mentioned instruments shall be deemed to be terminated when all the States parties thereto shall have become parties to this Convention.

Article 33

Settlement of disputes

If any dispute shall arise between parties to this Convention relating to its interpretation or application, and if such dispute cannot be settled by other means, the dispute shall, at the request of any one of the parties to the dispute, be referred to the International Court of Justice.

Article 34

1. This Convention shall be opened for signature at Geneva (date of ceremony of signature at close of Conference) and shall thereafter be deposited with the Secretary-General of the United Nations. It shall be open for signature at the European Office of the United Nations from to 31 July 1951 and shall be re-opened for signature at the Headquarters of the United Nations from 1951 to 31 December 1952.
2. This Convention shall be open for signature on behalf of all States Members of the United Nations, and also on behalf of any other State invited to attend the Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons

or to which an invitation to sign will have been addressed by the General Assembly. It shall be ratified and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. This Convention shall be open from (first date selected in paragraph 1 for opening for signature at United Nations Headquarters) for accession by the States referred to in paragraph 2 of this Article. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 35
Colonial clause

1. Any State may, at the time of signature, ratification or accession or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that the present Convention shall extend to all or any of the territories for the international relations of which it is responsible. This Convention shall extend to the territory or territories named in the notification as from the thirtieth day after the day of receipt by the Secretary-General of the United Nations of this notification.

2. Each State undertakes with respect to those territories to which the Convention is not extended at the time of signature, ratification or accession to take as soon as possible the necessary steps in order to extend the application of this Convention to such territories, subject, where necessary for constitutional reasons, to the consent of the governments of such territories.

3. The Secretary-General of the United Nations shall communicate the present Convention to the States referred to in article 36 for transmission to the responsible authorities of:

- (a) Any Non-Self-Governing Territory administered by them;
- (b) Any Trust Territory administered by them;
- (c) Any other non-metropolitan territory for the international relations of which they are responsible.

Article 36
Reservations

1. At the time of signature, ratification or accession, Contracting States may make reservations to articles of the Convention other than articles 1, 3, 11 (1), 28, 31 and following.
2. The Contracting State making reservations in accordance with paragraph 1 of this article may at any time withdraw these reservations by a communication to that effect addressed to the Secretary-General. The Secretary-General shall bring such communication to the attention of the other Contracting States.

Article 37
Entry into force

This Convention shall come into force on the ninetieth day following the day of deposit of the sixth instrument of ratification or accession.

For each State ratifying or acceding to the Convention after the deposit of the sixth instrument of ratification or accession, the Convention shall enter into force on the ninetieth day following the date of deposit by such State of its instrument of ratification or accession.

Article 38
Denunciation

1. Any Contracting State may denounce this Convention at any time by a written notification addressed to the Secretary-General of the United Nations.
2. Such denunciation shall take effect for the Contracting State concerned one year from the date upon which it is received by the Secretary-General of the United Nations.
3. Any Contracting State which has made a declaration under article 35, paragraph 1, may at any time thereafter, by a written notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to such territory one year after the date of receipt of the notification by the Secretary-General.

Article 39

Revision

Any Contracting State may request revision of this Convention at any time by a written notification addressed to the Secretary-General of the United Nations.

The General Assembly shall recommend the steps, if any to be taken in respect of such request.