

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL

E/2373/Add.12  
10 August 1953  
ENGLISH  
ORIGINAL: FRENCH

STATELESSNESS

COMMENTS RECEIVED FROM GOVERNMENTS ON THE SUBJECT OF THE DRAFT PROTOCOL  
RELATING TO THE STATUS OF STATELESS PERSONS

The Secretary-General has the honour to transmit herewith the communication received from the Swiss Government in reply to the letter addressed by the Secretary-General in accordance with General Assembly resolution 629 (VII) of 6 November 1952, to all the governments invited to the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons (held at Geneva in July 1951) with a view to obtaining their comments on the draft protocol relating to the status of stateless persons.

SWITZERLAND

Letter of 29 July 1953 to the Secretary-General from the  
Permanent Observer of Switzerland at the United Nations

"The Permanent Observer of Switzerland at the United Nations presents his compliments to the United Nations Secretariat and has the honour to refer to its note SOA/325/5/05 (1) of 1 December 1952 concerning, inter alia, the draft protocol relating to the status of stateless persons.

"In this note, the Secretariat expressed in particular a desire to know the opinion of Switzerland with regard to the possibility of making applicable to stateless persons who are not refugees certain provisions of the Convention Relating to the Status of Refugees enumerated in the draft protocol.

"The reply of Switzerland to this request is as follows:

"The consideration of the question whether, and especially under what conditions, Switzerland would be able to ratify the Convention Relating to the Status of Refugees signed on 28 July 1951 has not yet been completed. The competent Swiss authorities, namely the Justice Division, hope, however, shortly to be in a position to submit to the Federal Departments concerned, for introduction in the Federal Parliament, a draft decree ratifying that Convention. However, certain reservations have to be made in respect of a few articles.

"The representatives of Switzerland at all international conferences dealing with these matters, including the Geneva Conference, have always recommended a definition of the term refugee which should not be too restrictive. The application of the provisions of the July 1951 Convention to stateless persons in general would represent a certain extension of the concept of refugee as laid down in article 1 of the Convention. While reserving the liberty to examine the subject more closely in due course, the Justice Division does not at the present time see any reason why this concept should not also be applied to stateless persons, and especially to those who are connected with Switzerland by virtue of a prolonged residence in that country, family ties, or some other reason. In considering this subject, it should of course be borne in mind that the reservations which may be made with regard to certain provisions of the Convention also apply to stateless persons.

"It will not be possible to state these reservations in detail until the procedure for the ratification of the July 1951 Convention is completed. Furthermore, the Swiss authorities consider that it will be necessary to make some additional reservations in respect of stateless persons so far as some provisions of the Convention are concerned."

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