

UNITED NATIONS  
ECONOMIC  
AND  
SOCIAL COUNCIL



Distr.  
GENERAL

E/2373/Add.4  
27 April 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 French 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.

FRANCE

Letter of 15 April 1953 to the Secretary-General from the  
Ministry of Foreign Affairs of the French Republic

With reference to your letter SOA 325/5/05 (I) of 1 December 1953, I have the honour to inform you that the French Government has no objection of principle to the draft protocol relating to the status of stateless persons.

It wishes, however, to suggest certain amendments to the text prepared by the Ad Hoc Committee in order to make clear the obligations of governments under the proposed protocol.

It seems desirable to include a definition of the term "stateless person" in the preamble to the protocol.

Further, articles 23 (Public Relief) and 24 (Social Security) of the Convention relating to the Status of Refugees accord extremely favourable treatment to refugees; although it has been considered possible, in France, to accord such treatment to persons whose position is particularly difficult as a

result of the circumstances in which they left their countries of origin, there are not the same reasons for extending it to stateless persons, to whom the regulations governing aliens in general can be applied without difficulty.

Lastly, it does not seem possible to make the provisions of articles 31 and 32, which relate to expulsion, applicable to stateless persons. The favourable treatment which it has been possible to apply to refugees in this respect cannot legitimately be extended to stateless persons whose life and liberty are not threatened.

In order to give concrete expression to the foregoing comments, I have the honour to transmit below a revised text of the protocol, which would meet the views of my Government.

ANNEX

REVISED TEXT OF THE PROTOCOL RELATING TO THE  
STATUS OF STATELESS PERSONS

"THE CONTRACTING STATES,

"NOTING the existence of a number of persons, referred to as stateless persons, to whom domestic legislation relating to nationality applies;

"CONSIDERING that the Convention relating to the Status of Refugees dated 28 July 1951 deals only with refugees, whether stateless or not;

"CONSIDERING moreover that there are many stateless persons who are not covered by the said convention and whose status it appears desirable to improve,

"UNDERTAKE to apply, mutatis mutandis, the provisions of articles 2 to 4, 10 to 15, 17 (paragraph 1), 18 to 22, 25 to 27, 29 (paragraphs 1 and 2), and 34 of the said Convention to stateless persons to whom the Convention does not apply."

The standard final clauses follow.

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