

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 1964 Nr. 17

A. TITEL

*Verdrag betreffende de status van staatlozen, met bijlagen;
New York, 28 september 1954*

B. TEKST

De Engelse en de Franse tekst van Verdrag en bijlagen zijn geplaatst in *Trb.* 1955, 42. Zie ook *Trb.* 1957, 22.

C. VERTALING

Zie *Trb.* 1957, 22.

D. GOEDKEURING

De artikelen 1 tot en met 3 van de Rijkswet van 13 december 1961 (*Stb.* 468) luiden als volgt:

„**Artikel 1.** Het vanwege Ons op 28 september 1954 te New York ondertekende Verdrag betreffende de status van staatlozen, waarvan de Engelse en de Franse tekst in *Tractatenblad* 1955, 42, en de vertaling in het Nederlands in *Tractatenblad* 1957, 22, is geplaatst, wordt voor het gehele Koninkrijk goedgekeurd.

Artikel 2. Goedgekeurd wordt, bij de bekrachtiging van genoemd Verdrag een voorbehoud van de navolgende inhoud te maken:

„De Regering van het Koninkrijk der Nederlanden behoudt zich de bevoegdheid voor, het bepaalde in artikel 8 van het Verdrag niet toe te passen op staatlozen die voorheen een vijandige of daarmede voor het Koninkrijk der Nederlanden gelijkgestelde nationaliteit hebben bezeten.”

Artikel 3. Goedgekeurd wordt, bij de bekrachtiging van genoemd Verdrag een voorbehoud van de navolgende inhoud te maken:

„De Regering van het Koninkrijk der Nederlanden behoudt zich met betrekking tot artikel 26 van het Verdrag het recht voor, aan bepaalde staatlozen of groepen staatlozen een hoofdverblijfplaats aan te wijzen om redenen van openbare orde.”

Deze Rijkswet is gecontrasigneerd door de Minister van Buitenlandse Zaken a.i. J. DE QUAY, de Minister van Justitie A. C. W. BEERMAN, de Minister van Binnenlandse Zaken E. H. TOXOPEUS, de Minister van Onderwijs, Kunsten en Wetenschappen a.i. M. KLOMPÉ, de Minister van Financiën J. ZIJLSTRA, de Minister van Sociale Zaken en Volksgezondheid G. VELDKAMP en de Minister van Maatschappelijk Werk M. KLOMPÉ. Zie voor de behandeling in de Staten-Generaal: Bijl. *Hand.* II 1959/60 en 1960/61 — 5881 (R 179); *Hand.* II 1960/61, blz. 1134—1141; Bijl. *Hand.* I 1960/61, nr. 145 en 1961/62, nr. 23; *Hand.* I 1961/62, blz. 144—147.

E. BEKRACHTIGING

Zie Trb. 1957, 22.

Blijkens een op 23 augustus 1962 ontvangen mededeling van de waarnemend Permanent Vertegenwoordiger van Denemarken bij de Verenigde Naties aan de Secretaris-Generaal, heeft de Regering van Denemarken het bij de bekrachtiging gemaakte voorbehoud met betrekking tot artikel 14 met ingang van 1 oktober 1961 ingetrokken .

Behalve de in *Trb.* 1957, 22 genoemde hebben nog de volgende Staten overeenkomstig artikel 35, lid 3, van het Verdrag een akte van bekrachtiging nedergelegd bij de Secretaris-Generaal van de Verenigde Naties te New York:

Israël 23 december 1958

het Verenigd Koninkrijk van Groot Brittannië

en Noord-Ierland 16 april 1959

“(1) The Government of the United Kingdom of Great Britain and Northern Ireland understand Articles 8 and 9 as not preventing them from taking in time of war or other grave and exceptional circumstances measures in the interests of national security in the case of a stateless person on the ground of his former nationality. The provisions of Article 8 shall not prevent the Government of the United Kingdom of Great Britain and Northern Ireland from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of Article 8 shall not affect the treatment to be accorded to any property or interests which at the date of entry into force of this Convention for the United Kingdom of Great Britain and Northern Ireland are under the control of the Government of the United Kingdom of Great Britain and Northern

Ireland by reason of a state of war which exists or existed between them and any other state.

(2) The Government of the United Kingdom of Great Britain and Northern Ireland in respect of such of the matters referred to in subparagraph (b) of paragraph 1 of Article 24 as fall within the scope of the National Health Service, can only undertake to apply the provisions of that paragraph so far as the law allows.

(3) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake to give effect to the obligations contained in paragraphs 1 and 2 of Article 25 and can only undertake to apply the provisions of paragraphs 3 so far as the law allows."

Voorts werd verklaard: "...the Government of the United Kingdom deposit the present instrument of ratification on the understanding that the combined effects of articles 36 and 38 permit them to include in any declaration or notification made under paragraph 1 of article 36 or paragraph 2 of article 36 respectively any reservation consistent with article 38 which the Government of the territory concerned might desire to make."

Frankrijk 8 maart 1960

"The provisions of Article 10, paragraph 2, are regarded by the French Government as applying only to stateless persons who were forcibly displaced from French territory, and who have, prior to the date of entry into force of this Convention, returned there direct from the country to which they were forced to proceed, without in the meantime having received authorization to reside in the territory of any other State" (V.N.-vertaling uit het Frans).

België 27 mei 1960

Luxemburg 27 juni 1960

het Koninkrijk der Nederlanden (voor

Nederland, Suriname en Nederlands-

Nieuw-Guinea) 12 april 1962

„Le Gouvernement du Royaume se réserve le droit de ne pas appliquer ce qui est prévu à l'article 8 de la Convention aux apatrides qui ont possédé autrefois une nationalité ennemie ou équivalente à l'égard du Royaume des Pays-Bas.

Le Gouvernement du Royaume, en ce qui concerne l'article 26 de la Convention, se réserve la faculté de désigner à certains apatrides ou groupes d'apatrides un lieu de résidence principale pour des raisons d'ordre public."

Voorts werd verklaard:

"With reference to article 36, paragraph 3, the Permanent Representative wishes to state that if at any time the Government of the Netherlands Antilles agrees to the extension of the Convention to its territory, the Secretary-General shall be notified thereof without delay. Such notification will contain the reservations, if any, which the Government of the Netherlands Antilles might wish to make with respect to local requirements in accordance with article 38 of the Convention."

Italië 3 december 1962

F. TOETREDING

De volgende Staten hebben overeenkomstig artikel 35, lid 4, een akte van toetreding tot het Verdrag nedergelegd bij de Secretaris-Generaal der Verenigde Naties:

Zuidslavië	9 april 1959
Madagascar	20 februari 1962
Guinea	21 maart 1962
Korea	22 augustus 1962
Ierland	17 december 1962

"The Government of Ireland understand the words public order and in accordance with due process of law, as they appear in Article 31 of the Convention, to mean respectively, public policy and in accordance with a procedure provided by law."

"With regard to Article 29 (1), the Government of Ireland do not undertake to accord to stateless persons treatment more favourable than that accorded to aliens generally with respect to:

(a) the stamp duty chargeable in Ireland in connection with conveyances, transfers and leases of lands, tenements and hereditaments, and

(b) income tax (including sur-tax)."

G. INWERKINGTREDING

De bepalingen van het Verdrag zijn overeenkomstig artikel 39, eerste lid, op 6 juni 1960 in werking getreden voor Denemarken, Noorwegen, Israël, Zuidslavië, het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland en Frankrijk. Voor de overige in rubriek E en F genoemde Staten treden de bepalingen van het Verdrag in overeenstemming met artikel 39, lid 2, in werking op de negentigste dag volgend op de datum van nederlegging van de betreffende akte van bekrachtiging of toetreding.

Voor het Koninkrijk der Nederlanden zijn de bepalingen van het Verdrag op 11 juli 1962 voor Nederland, Suriname en Nederlands-Nieuw-Guinea in werking getreden. Sedert 1 oktober 1962 draagt de Regering van het Koninkrijk geen verantwoordelijkheid meer voor de toepassing van de bepalingen van het Verdrag in Westelijk Nieuw-Guinea (vergelijk *Trb.* 1962, 160).

H. TOEPASSELIJKVERKLARING

Het Verdrag is in overeenstemming met artikel 36 toepasselijk verklaard

door het Verenigd Koninkrijk van Groot-Brittannië en Noord-Ierland op:

de Kanaal-eilanden 16 april 1959

het eiland Man 16 april 1959

“(i) The Government of the United Kingdom of Great Britain and Northern Ireland understand Articles 8 and 9 as not preventing the taking in the Isle of Man and in the Channel Islands, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a stateless person in the ground of his former nationality. The provisions of Article 8 shall not prevent the Government of the United Kingdom of Great Britain and Northern Ireland from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of Article 8 shall not affect the treatment to be accorded to any property or interests which, at the date of entry into force of this Convention for the Isle of Man and the Channel Islands, are under the control of the Government of the United Kingdom of Great Britain and Northern Ireland by reason of a state of war which exists or existed between them and any other state.

(ii) The Government of the United Kingdom of Great Britain and Northern Ireland can only undertake that the provisions of sub-paragraph (b) of paragraph 1 of Article 24 and of paragraph 2 of that Article will be applied in the Channel Islands so far as the law allows, and that the provisions of the sub-paragraph, in respect of such matters referred to therein as fall within the scope of the Isle of Man Health Service, will be applied in the Isle of Man so far as the law allows.

(iii) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the Isle of Man and the Channel Islands to paragraphs 1 and 2 of Article 25 and can only undertake that the provisions of paragraph 3 will be applied in the Isle of Man and the Channel Islands so far as the law allows.”

Basutoland 7 december 1959

het protectoraat Bechuanaland 7 december 1959

Swaziland 7 december 1959

“(i) The Government of the United Kingdom of Great Britain and Northern Ireland understand Articles 8 and 9 as not preventing the taking, in the High Commission Territories of Basutoland, the Bechuanaland Protectorate and Swaziland, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a stateless person on the ground of his former nationality. The provisions of Article 8 shall not prevent the Government of the United Kingdom of Great Britain and Northern Ireland from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of Article 8 shall not affect the treatment to be accorded to any property or interests which, at the date of entry into force of this Convention for the High Commission Territories of Basutoland, the Bechuanaland Protectorate and Swaziland are under the control of the Government of the United Kingdom of Great Britain and Northern Ireland by reason of a state of war which exists or existed between them and any other state.

(ii) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the High Commission Territories of Basutoland, the Bechuanaland Protectorate and Swaziland to the obligations contained in paragraphs 1 and 2 of Article

25 and can only undertake that the provisions of paragraph 3 of Article 25 shall be applied in the High Commission Territories of Basutoland, the Bechuanaland Protectorate and Swaziland so far as the law allows."

de Federatie van Rhodesia en Nyasaland 9 december 1959

"The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the Federation of Rhodesia and Nyasaland to paragraphs 1 and 2 of Article 25 and can only undertake that the provision of paragraph 3 of Article 25 will be applied in the Federation of Rhodesia and Nyasaland so far as the law allows."

de Falkland-eilanden	19 maart 1962
Gambia	19 maart 1962
de Gilbert- en Ellice-eilanden	19 maart 1962
Brits-Guyana	19 maart 1962
Kenia	19 maart 1962
Mauritius	19 maart 1962
het protectoraat der Britse Salomons- eilanden	19 maart 1962

"(i) The Government of the United Kingdom of Great Britain and Northern Ireland understand articles 8 and 9 as not preventing the taking in the territories enumerated in Part I of this Annex, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a stateless person on the ground of his former nationality. The provisions of article 8 shall not prevent the Government of the United Kingdom of Great Britain and Northern Ireland from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreements or arrangements for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of article 8 shall not affect the treatment to be accorded to any property or interests which, at the date of entry into force of this Convention for the territories enumerated in Part I of this Annex, are under the control of the Government of the United Kingdom of Great Britain and Northern Ireland by reason of a state of war which exists or existed between them and any other State.

(ii) The Government of the United Kingdom of Great Britain and Northern Ireland in respect of the provisions of sub-paragraph (b) of paragraph 1 of article 24, can only undertake that effect will be given in the territories enumerated in Part I of this Annex to the provisions of that paragraph so far as the law allows.

(iii) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the territories enumerated in Part I of this Annex to paragraphs 1 and 2 of article 25 and can only undertake that the provisions of paragraphs 3 will be applied in these territories so far as the law allows."

Brits-Honduras	19 maart 1962
Hong Kong	19 maart 1962

"(i) The Government of the United Kingdom of Great Britain and Northern Ireland understand articles 8 and 9 as not preventing the taking in the territories enumerated in Part II of this Annex, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a stateless person on the ground of

his former nationality. The provisions of article 8 shall not prevent the Government of the United Kingdom of Great Britain and Northern Ireland from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of article 8 shall not affect the treatment to be accorded to any property or interests which, at the date of entry into force of this Convention for the territories enumerated in Part II of this Annex, are under the control of the Government of the United Kingdom of Great Britain and Northern Ireland by reason of a state of war which exists or existed between them and any other State.

(ii) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the territories enumerated in Part II of this Annex to paragraphs 1 and 2 of article 25 and can only undertake that the provisions of paragraph 3 will be applied in these territories so far as the law allows."

Noord-Borneo 19 maart 1962

"(i) The Government of the United Kingdom of Great Britain and Northern Ireland understand articles 8 and 9 as not preventing the taking in Borneo, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a stateless person on the ground of his former nationality. The provisions of article 8 shall not prevent the Government of the United Kingdom of Great Britain and Northern Ireland from exercising any rights over property or interests which they may acquire or have acquired as an Allied or Associated Power under a Treaty of Peace or other agreement or arrangement for the restoration of peace which has been or may be completed as a result of the Second World War. Furthermore, the provisions of article 8 shall not affect the treatment to be accorded to any property or other interests which, at the date of entry into force of this Convention for North Borneo, are under the control of the Government of the United Kingdom of Great Britain and Northern Ireland by reason of a state of war which exists or existed between them and any other State.

(ii) The Government of the United Kingdom of Great Britain and Northern Ireland can only undertake that the provisions of sub-paragraph (b) of paragraph 1 of article 24 and of paragraph 2 of that article will be applied in North Borneo so far as the law allows.

(iii) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in North Borneo to paragraphs 1 and 2 of article 25 and can only undertake that the provisions of paragraph 3 will be applied in North Borneo so far as the law allows."

de Fidji-eilanden 19 maart 1962

"(i) The Government of the United Kingdom of Great Britain and Northern Ireland understand articles 8 and 9 as not preventing the taking in Fiji, in time of war or other grave and exceptional circumstances, of measures in the interests of national security in the case of a stateless person on the ground of his former nationality.

(ii) The Government of the United Kingdom of Great Britain and Northern Ireland, in respect of the provisions of sub-paragraph (b) of paragraph 1 of article 24, can only undertake that effect will be given in Fiji to the provisions of that paragraph so far as the law allows.

(iii) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in Fiji to

paragraphs 1 and 2 of article 25 and can only undertake that the provisions of paragraph 3 will be applied in Fiji so far as the law allows."

Singapore 19 maart 1962

"(i) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the State of Singapore to article 23."

de Brits-Westindische eilanden 19 maart 1962

"(i) The Government of the United Kingdom of Great Britain and Northern Ireland cannot undertake that effect will be given in the West Indies to articles 8, 9, 23, 24, 25, 26 and 31."

de Kolonie Aden 19 maart 1962

de Bermuda-eilanden 19 maart 1962

St. Helena 19 maart 1962

de Britse Maagdeneilanden 19 maart 1962

Malta 19 maart 1962

Oeganda 19 maart 1962

Serawak 19 maart 1962

de Seychellen 19 maart 1962

Zanzibar 19 maart 1962

door Frankrijk op:

de Algerijnse Departementen 8 maart 1960

de Departementen van de Oasen en
Saoura 8 maart 1960

de Departementen van Guadeloupe, Mar-
tinique en Guyana 8 maart 1960

Nieuw Caledonië en onderhorigheden .. 8 maart 1960

Frans-Polynesië 8 maart 1960

Frans Somaliland 8 maart 1960

de Comoren 8 maart 1960

Saint-Pierre en Miquelon 8 maart 1960

J. GEGEVENS

Zie *Trb.* 1955, 42 en *Trb.* 1957, 22.

Voor het Verdrag betreffende de status van vluchtelingen zie ook, laatstelijk, *Trb.* 1964, 14.

Voor het Statuut van het Internationaal Gerechtshof, zie ook, laatstelijk, *Trb.* 1959, 38.

In overeenstemming met artikel 60, lid 2, der Grondwet en artikel 24, eerste lid, van het Statuut voor het Koninkrijk is het onderhavige Verdrag medegedeeld aan de Eerste en de Tweede Kamer der Staten-Generaal, aan de Staten van Suriname en aan de Staten van de Nederlandse Antillen bij brieven van 27 april 1957 (*Bijl. Hand. II 1956/57 — 4653 (R 56), nr. 1*).

In overeenstemming met artikel 102 van het Handvest der Verenigde Naties zijn de Slotakte van de Conferentie tot vaststelling van het Verdrag en het Verdrag zelf geregistreerd bij het Secretariaat der Verenigde Naties onder nr. 5158. De tekst van Slotakte en Verdrag is afgedrukt in „Recueil des Traités” der Verenigde Naties, deel 360, blz. 117 e.v.

Uitgegeven de *eenentwintigste* februari 1964.

De Minister van Buitenlandse Zaken,
J. LUNS.