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REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL
AGENDA OF THE TWENTY-NINTH SESSION

QUESTION OF THE ESTABLISHMENT, IN ACCORDANCE WITH THE CONVENTION
ON THE REDUCTION OF STATELESSNESS, OF A BODY TO WHICH PERSONS
CLAIMING THE BENEFIT OF THE CONVENTION MAY APPLY

Note by the Secretary-General

1. Pursuant to rule 13 (g) of the rules of procedure of the General Assembly, the Secretary-General has the honour to request the inclusion in the provisional agenda of the twenty-ninth session of the General Assembly of an item entitled: "Question of the establishment, in accordance with the Convention on the Reduction of Statelessness, of a body to which persons claiming the benefit of the Convention may apply".
2. In accordance with rule 20 of the rules of procedure, an explanatory memorandum is attached.

EXPLANATORY MEMORANDUM

1. Pursuant to resolution 896 (IX) adopted by the General Assembly of the United Nations on 4 December 1954, a Conference of Plenipotentiaries met in Geneva from 24 March to 18 April 1959 to prepare a Convention on the Reduction of Statelessness. The Conference could not terminate its work, which was resumed in New York on 15 August 1961. On 28 August 1961, the Convention on the Reduction of Statelessness 1/ was adopted and the Final Act signed.

2. Paragraph 2 of article 20 of the Convention provides: "The Secretary-General of the United Nations shall, after the deposit of the sixth instrument of ratification or accession at the latest, bring to the attention of the General Assembly the question of the establishment, in accordance with article 11, of such a body as therein mentioned." Article 11 provides: "The Contracting States shall promote the establishment within the framework of the United Nations, as soon as may be after the deposit of the sixth instrument of ratification or accession, of a body to which a person claiming the benefit of this Convention may apply for the examination of his claim and for assistance in presenting it to the appropriate authority."

3. Six States, viz, Australia, Austria, Ireland, Norway, Sweden and the United Kingdom of Great Britain and Northern Ireland, having ratified or acceded to the Convention, the Secretary-General, in accordance with the provisions of paragraph 2 of article 20, hereby brings to the attention of the General Assembly the question of the establishment, in accordance with article 11, of such a body as is therein mentioned. In accordance with article 18, the Convention will enter into force on 13 December 1975.

4. In connexion with the establishment of such a body, consultations have taken place with the States which have ratified or acceded to the 1961 Convention and with the Office of the United Nations High Commissioner for Refugees. It is the opinion of the Secretary-General - after having carried out these consultations - that the body mentioned in article 11 to which persons claiming the benefit of the Convention may apply should be established within the framework of the Office of the United Nations High Commissioner for Refugees. The appropriateness of such an arrangement results from the fact that a large number of refugees who are the concern of the High Commissioner are also stateless persons. Moreover, the suggestion that the Office of the United Nations High Commissioner for Refugees might assume the functions entrusted to the body referred to in article 11 was in fact already made by several delegations at the Conference of Plenipotentiaries which adopted the Convention. If the General Assembly decides to establish such a body, arrangements will be made as and when appropriate for consultation between the Office of the United Nations High Commissioner for Refugees and the Division of Human Rights on matters of common interest arising in connexion with the Convention on the Reduction of Statelessness on the one hand, and the International Covenant on Civil and Political Rights and other relevant instruments on human rights on the other.

1/ A/CONF.9/15, 1961.

5. In accordance with rule 153 of the rules of procedure of the General Assembly, a statement on the administrative and financial implications of the proposal to set up the body indicated in article 11 of the Convention on the Reduction of Statelessness will be submitted in due course.
