
Convention on the issue of multilingual extracts from civil status records
signed at Vienna on 8 September 1976

The signatory States to this Convention, being desirous of improving the rules on the issue of multilingual extracts from certain civil status records, particularly where they are to be used abroad, have agreed as follows :

Article 1

At the request of an interested party or when their use necessitates a translation, extracts from civil status records concerning births, marriages or deaths shall be prepared in conformity with forms A, B and C appended to this Convention.

In each Contracting State, such extracts shall be issued only to those persons who are entitled to obtain verbatim copies.

Article 2

Extracts shall be prepared on the basis of the original particulars and subsequent annotations appearing in the records.

Article 3

Each Contracting State shall have the option of supplementing the forms appended to this Convention with spaces and symbols showing other particulars or annotations in the record, provided that the wording used has received the prior approval of the General Assembly of the International Commission on Civil Status.

However, each Contracting State shall have the option of adding a space for the insertion of an identity number.

Article 4

All the entries to be made on the forms shall be written in Latin characters in detached script; they may also be written in the characters of the language used in drawing up the record to which they refer.

Article 5

Dates shall be written in Arabic numerals, denoting successively, under the symbols Jo, Mo and An, the day, month and year. The day and the month shall be indicated by two figures, and the year by four figures. The first nine days of the month and first months of the year shall be indicated by numbers running from 01 to 09.

The name of any place mentioned in an extract shall be followed by the name of the State in which that place is situated, whenever that State is not the State in which the extract is issued.

An identity number shall be preceded by the name of the State which assigned it.

To indicate sex, only the following symbols shall be used: M = male, F = female.

To indicate marriage, legal separation, divorce, annulment of marriage, death of the person to whom the record of birth relates, and death of a husband or wife, only the following symbols shall be used: Mar = marriage; Sc = legal separation; Div = divorce; A = annulment; D = death; Dm = death of husband; Df = death of wife. These symbols shall be followed by the date and place of the event. The symbol "Mar" shall also be followed by the name and forenames of the spouse.

Article 6

With the exception of the symbols for dates specified in Article 5, the standard forms of words on the front of each extract shall be printed in at least two languages, including the official language or one of the official languages of the State in which the extract is being issued and the French language.

The meaning of the symbols must be indicated therein at least in the official language or one of the official languages of each of the States which, at the time of signature of this Convention, are members of the International Commission on Civil Status or are bound by the Paris Convention of 27 September 1956 on the issue of certain extracts from civil status records for use abroad, and in the English language.

On the reverse of each extract there shall appear :

- a reference to the Convention, in the languages indicated in the second paragraph of this Article;
- a translation of the standard forms of words, in the languages indicated in the second paragraph of this Article, in so far as those languages have not been used on the front;
- a summary of Articles 3, 4, 5 and 7 of the Convention, at least in the language of the authority issuing the extract.

Each State acceding to this Convention shall, when depositing its instrument of accession, send to the Swiss Federal Council a translation in its official language or languages of the standard forms of words and of the meaning of the symbols.

The translation shall be transmitted by the Swiss Federal Council to the Contracting States and to the Secretary General of the International Commission on Civil Status.

Each Contracting State shall have the option of incorporating the translation in the extracts issued by its authorities.

Article 7

If a space or part of a space in the extract cannot be filled in from details appearing in the record, that space or part of a space shall be scored through.

Article 8

Extracts shall bear their date of issue, as well as the signature and seal of the issuing authority. They shall have the same value as extracts issued in accordance with the rules of domestic law in force in the State from which they emanate.

They shall be accepted without legalisation or equivalent formality in the territory of each of the States bound by this Convention.

Article 9

Without prejudice to the international agreements on the issue of copies of or extracts from civil status records free of charge, the charges payable for extracts issued pursuant to this Convention may not be higher than those payable for extracts prepared pursuant to the domestic legislation in force in the State from which they emanate.

Article 10

This Convention shall not prevent the obtainment of verbatim copies of civil status records, prepared in accordance with the rules of domestic law of the country in which those records were drawn up or transcribed.

Article 11

Each Contracting State may, at the time of signature, of the notification mentioned in Article 12 or of accession, declare that it reserves the option not to apply this Convention to extracts from records relating to the birth of adopted children.

Article 12

The Contracting States shall notify the Swiss Federal Council of the completion of the procedures required by their Constitutions to render this Convention applicable in their territory.

The Swiss Federal Council shall inform the Contracting States and the Secretary General of the International Commission on Civil Status of any notification made pursuant to the preceding paragraph.

Article 13

This Convention shall enter into force from the thirtieth day following the date of deposit of the fifth notification and shall take effect from that day between the five States which have completed that formality.

For each Contracting State which completes the formality mentioned in the preceding Article at a later date, this Convention shall take effect from the thirtieth day following the date of deposit of its notification.

On the entry into force of this Convention, the depositary Government shall transmit the text thereof to the Secretariat of the United Nations for registration and publication, in accordance with Article 102 of the United Nations Charter.

Article 14

The Convention on the issue of certain extracts from civil status records for use abroad, signed at Paris on 27 September 1956, shall cease to apply between those States for which this Convention has entered into force.

Article 15

The reservation mentioned in Article 11 may be wholly or partially withdrawn at any time. The Swiss Federal Council shall be notified of any such withdrawal.

The Swiss Federal Council shall inform the Contracting States and the Secretary General of the International Commission on Civil Status of any notification made pursuant to the preceding paragraph.

Article 16

This Convention shall apply *ipso iure* throughout the metropolitan territory of each Contracting State.

Any State may, at the time of signature, notification or accession or subsequently, declare by notification to the Swiss Federal Council that the provisions of this Convention shall apply to one or more of its extra-metropolitan territories or the States or territories for whose international relations it is responsible. The Swiss Federal Council shall inform each of the Contracting States and the Secretary General of the International Commission on Civil Status of the last-mentioned notification. The provisions of this Convention shall become applicable in the territory or territories designated in the notification on the sixtieth day following the date on which the Swiss Federal Council receives the notification.

Any State which has made a declaration pursuant to the provisions of the second paragraph of this Article may subsequently declare at any time by notification to the Swiss Federal Council that this Convention shall cease to apply to one or more of the States or territories designated in the declaration.

The Swiss Federal Council shall inform each of the Contracting States and the Secretary General of the International Commission on Civil Status of the further notification.

The Convention shall cease to apply to the territory concerned on the sixtieth day following the date on which the Swiss Federal Council receives that notification.

Article 17

Any State may accede to this Convention after it has entered into force. The instrument of accession shall be deposited with the Swiss Federal Council. The latter shall inform each of the Contracting States and the Secretary General of the International Commission on Civil Status of every deposit of an instrument of accession. The Convention shall enter into force, for the acceding State, on the thirtieth day following the date of deposit of the instrument of accession.

Article 18

This Convention shall remain in force indefinitely. However, each Contracting State shall have the option of denouncing it at any time by written notification to the Swiss Federal Council, which shall give notice thereof to the other Contracting States and the Secretary General of the International Commission on Civil Status.

The option to denounce may not be exercised by a State before the expiry of a period of one year from the date on which the Convention entered into force for that State.

Denunciation shall take effect six months after the date on which the Swiss Federal Council receives the notification mentioned in the first paragraph of this Article.

In witness whereof the undersigned representatives, duly authorised to this end, have signed this Convention.

Done at Vienna, on 8 September 1976, in a single copy which shall be deposited in the archives of the Swiss Federal Council and a certified copy of which shall be transmitted through diplomatic channels to each of the Contracting States and to the Secretary General of the International Commission on Civil Status.

Declaration of reservation

At the time of signature of the Convention, the Swiss Confederation declared, pursuant to Article 11, that it reserved the option not to apply this Convention to extracts from records relating to the birth of adopted children whose original filiation subsists.

Editorial note

On 20 June 1990, the Socialist Federal Republic of Yugoslavia notified the Swiss Federal Department of Foreign Affairs of the ratification of the Convention (in force for Yugoslavia as from 20 July 1990).

On 1 December 1992, the Ministry of Foreign Affairs of the Republic of Slovenia deposited with the Swiss Federal Department of Foreign Affairs an instrument of accession to the Convention (in force for Slovenia as from 31 December 1992).

On 22 September 1993, the Republic of Croatia deposited with the Swiss Federal Council an instrument of accession to the Convention (in force for Croatia as from 22 October 1993).

On 15 April 1994, The Former Yugoslav Republic of Macedonia deposited with the Swiss Federal Council a declaration of succession regarding the Convention. The Former Yugoslav Republic of Macedonia became party to the Convention on 8 September 1991, the date of its independence.

On 11 October 1995, the Republic of Bosnia-Herzegovina deposited with the Swiss Federal Council a declaration of succession regarding the Convention. The Republic of Bosnia-Herzegovina became party to the Convention on 6 March 1992, the date of its independence.

EXPLANATORY REPORT

adopted by the General Assembly in Frankfurt on 24 March 1976

A. GENERAL REMARKS

The Convention on the issue of certain extracts from civil status records for use abroad, signed at Paris on 27 September 1956, is in force in nine of the member States of the International Commission on Civil Status.

Drawn up in seven languages, extracts issued in pursuance of that Convention are accepted in many countries and are especially useful both to emigrants and to the authorities of countries of immigration. Nevertheless, it was thought necessary to amend the Convention, partly because of the accession of new members to the International Commission on Civil Status and Yugoslavia's accession to the Convention (entailing the use of additional languages) and partly because it seemed advisable to harmonise the forms with those in the international family record booklet introduced by the Convention signed at Paris on 12 September 1974.

The extent of the changes to be made was such that the drafting of a new Convention was preferred to recourse to the revision procedure provided for in Article 12 of the 1956 Convention.

B. COMMENTARY ON THE ARTICLES**Articles 1 and 2**

These Articles deal with the matters governed by Article 1 of the 1956 Convention. Under that Convention there was an option – but not an obligation – to issue multilingual extracts in cases where the use of an extract in a single language necessitated a translation. The new Convention imposes an obligation to issue a multilingual extract in such cases and in all cases where a party so requests. This change takes account of the interest of the parties concerned, a matter which should not be left to the discretion of the authority having custody of the record.

Article 3

This Article corresponds to the second paragraph of Article 4 of the 1956 Convention.

However, it allows an identity number to be added to the forms without prior authorisation (see the last paragraph of Article 7 of the 1974 Convention).

Unlike the 1956 Convention, the new one no longer lists the particulars that must be included in the extracts. Such listing is now superfluous, since model extracts are appended to the Convention.

Article 4

This Article is based on the provisions of the first paragraph of Article 6 of the 1974 Convention.

Article 5

The way of writing dates and using the symbols mentioned in Article 3 of the 1956 Convention is now in line with that specified in Article 7 of the 1974 Convention.

The second and third paragraphs specify respectively the way in which places and identity numbers are to be indicated.

Article 6

This Article lays down which languages are to be used in preparing extracts.

On the front the standard forms of words are to be printed in at least two languages, including the official language or one of the official languages of the State in which the extract is being issued and the French language (see Article 8 of the 1974 Convention). However, the meaning of the symbols must be indicated at least in the official language or one of the official languages of each of the States which are members of the International Commission on Civil Status or which are bound by the 1956 Convention. If a State - for example Yugoslavia - has several languages, the use of one of them will suffice. In addition, English must always be included because of its very widespread use.

On the reverse of the extract there must first be a reference to the Convention, in the languages prescribed for the explanation of the symbols. This is to be followed by a translation of the standard forms of words in the same languages, with the exception of the languages in which they are printed on the front. Finally, there must be a summary of Articles 3, 4, 5 and 7 of the Convention, which contain the rules governing the preparation of the extract. Since those rules are addressed to the authority issuing the extract, the summary need only be in that authority's language. However, there is nothing to say that it may not be written in other languages as well.

Articles 7 - 10

These Articles are based on the corresponding provisions of the Conventions of 1956 (Articles 3, 5, 6 and 7) and 1974 (Articles 10, 11 and 13). While Article 6 of the 1956 Convention provided that the same charges were to be payable for extracts issued thereunder as for extracts made pursuant to the domestic legislation in force in the State from which the extracts emanated, Article 9 of this Convention merely prescribes that the charges payable for extracts issued pursuant thereto may not be higher than those provided for by domestic legislation. Owing to the requirements of revenue law in some member States of the International Commission on Civil Status, it was not possible to prescribe that extracts issued in pursuance of the Convention should be free of charge. However, having regard to the fact that civil registration constitutes a public service, the International Commission on Civil Status recommends that no charge should be made and would like the issue of copies of or extracts from records, whether in pursuance of the Convention or in accordance with domestic law, to be exempt from any charges of a revenue nature in all the member States.

Article 11

The reservation provided for in this Article may be made by a State which fears that the use of forms A or C may reveal that the extract relates to an adopted child. This reservation may be wholly or partially withdrawn at any time (Article 15).

A Contracting State could also make a partial reservation, for example by limiting it to adopted children whose original filiation subsists.

Articles 12 - 18

These Articles contain the "final" clauses governing ratification of the Convention and its entry into force and duration. Unlike the other Conventions of the International Commission on Civil Status, which provide for their entry into force after two ratifications, this Convention provides in Article 13 that it will enter into force after five ratifications. The reason for this is that the new Convention is intended to replace the 1956 Convention, which is at present binding on ten States.

Unless it is denounced, the 1956 Convention will remain in force between two States which are bound by it, even if one of them has ratified the second Convention, whether or not the latter has entered into force.

However, the first Convention will cease to be in force between two States which were bound by it but who have both ratified the second one, if the latter has entered into force following ratification by five States.

The new Convention, like that of 1956, is an open Convention, that is to say that any State, whether or not a member of the International Commission on Civil Status, may accede to it after its entry into force.