

# 1961 OPTIONAL PROTOCOL TO THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS, CONCERNING ACQUISITION OF NATIONALITY

*Adopted in Vienna, Austria on 18 April 1961*

The States Parties to the present Protocol and to the Vienna Convention on Diplomatic Relations, hereinafter referred to as “the Convention”, adopted by the United Nations Conference held at Vienna from 2 March to 14 April 1961,

Expressing their wish to establish rules between them concerning acquisition of nationality by the members of their diplomatic missions and of the families forming part of the household of those members,

Have agreed as follows:

## ARTICLE I

For the purpose of the present Protocol, the expression “members of the mission” shall have the meaning assigned to it in article 1, subparagraph (b), of the Convention, namely “the head of the mission and the members of the staff of the mission”.

## ARTICLE II

Members of the mission not being nationals of the receiving State, and members of their families forming part of their household, shall not, solely by the operation of the law of the receiving State, acquire the nationality of that State.

## ARTICLE III

The present Protocol shall be open for signature by all States which may become Parties to the Convention, as follows: until 31 October 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until 31 March 1962, at the United Nations Headquarters in New York.

## ARTICLE IV

The present Protocol is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

## ARTICLE V

The present Protocol shall remain open for accession by all States which may become Parties to the Convention. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

## ARTICLE VI

1. The present Protocol shall enter into force on the same day as the Convention or on the thirtieth day following the date of deposit of the second instrument of ratification or accession to the Protocol with the Secretary-General of the United Nations, whichever date is the later.
2. For each State ratifying or acceding to the present Protocol after its entry into force in accordance with paragraph 1 of this article, the Protocol shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

## ARTICLE VII

The Secretary-General of the United Nations shall inform all States which may become Parties to the Convention:

- (a) Of signatures to the present Protocol and of the deposit of instruments of ratification or accession, in accordance with articles III, IV and V;
- (b) Of the date on which the present Protocol will enter into force, in accordance with article VI.

## ARTICLE VIII

The original of the present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in article III.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Protocol.

DONE at Vienna this eighteenth day of April one thousand nine hundred and sixty-one.