



**ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟΝ**

**ΤΗΣ ΕΠΙΣΗΜΟΥ ΕΦΗΜΕΡΙΔΟΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ**

ὕπ' Ἀρ. 1816 τῆς 12ης ΝΟΕΜΒΡΙΟΥ 1982

**ΝΟΜΟΘΕΣΙΑ**

Ὁ περὶ τῆς Συμβάσεως τῆς Χάγης περὶ τῆς Ἀναγνώρισεως Διαζυγίων καὶ Νομίμων Χωρισμῶν (Κυρωτικός) Νόμος τοῦ 1982 ἐκδίδεται διὰ δημοσιεύσεως εἰς τὴν ἐπίσημον ἐφημερίδα τῆς Κυπριακῆς Δημοκρατίας συμφώνως τῷ ἄρθρῳ 52 τοῦ Συντάγματός.

Ἀριθμὸς 63 τοῦ 1982

**ΝΟΜΟΣ ΚΥΡΩΝ ΤΗΝ ΣΥΜΒΑΣΙΝ ΤΗΣ ΧΑΓΗΣ ΠΕΡΙ ΤΗΣ ΑΝΑΓΝΩΡΙΣΙΕΩΣ ΔΙΑΖΥΓΙΩΝ ΚΑΙ ΝΟΜΙΜΩΝ ΧΩΡΙΣΜΩΝ**

Ἡ Βουλὴ τῶν Ἀντιπροσώπων ψηφίζει ὡς ἀκολούθως:

1. Ὁ παρῶν Νόμος θὰ ἀναφέρηται ὡς ὁ περὶ τῆς Συμβάσεως τῆς Χάγης περὶ τῆς Ἀναγνώρισεως Διαζυγίων καὶ Νομίμων Χωρισμῶν (Κυρωτικός) Νόμος τοῦ 1982. Συνοπτικὸς τίτλος.

2. Ἐν τῷ παρόντι Νόμῳ—

«Σύμβασις» σημαίνει τὴν Σύμβασιν τῆς Χάγης περὶ τῆς Ἀναγνώρισεως Διαζυγίων καὶ Νομίμων Χωρισμῶν τὴν γενομένην τὴν 1ην Ἰουνίου, 1970, τῆς ὁποίας τὸ κείμενον καὶ ἡ ἐπ' αὐτῆς ἐπιφύλαξις τῆς Δημοκρατίας ἐκτίθεται εἰς τὸ Μέρος I τοῦ Πίνακος εἰς τὴν ἀγγλικὴν καὶ ἐν μεταφράσει εἰς τὴν ἑλληνικὴν εἰς τὸ Μέρος II τοῦ Πίνακος: Ἐρμηνεία.  
Πίναξ.  
Μέρος I  
Μέρος II.

Νοεῖται ὅτι ἐν περιπτώσει ἀντιθέσεως μεταξύ τῶν δύο κειμένων ὑπερισχέει τὸ εἰς τὸ Μέρος I τοῦ Πίνακος ἐκτιθέμενον κείμενον.

3. Ἡ Σύμβασις εἰς τὴν ὁποίαν ἡ Δημοκρατία ἀπεφάσισε νὰ προσχωρήσῃ δυνάμει τῆς Ἀποφάσεως τοῦ Ὑπουργικοῦ Συμβουλίου ὑπ' ἄρ. 21.796 καὶ ἡμερομηνίαν 27ην Μαΐου, 1982, διὰ τοῦ παρόντος Νόμου κυροῦται ὑπὸ τὴν αἴρεσιν τῆς ἐπιφυλάξεως τῆς ἐμφαινομένης εἰς τὸν Πίνακα. Κύρωσις Συμβάσεως καὶ Ἐπιφυλάξεων.

ΠΙΝΑΞ  
("Αρθρον 2)

ΜΕΡΟΣ Ι

CONVENTION ON THE RECOGNITION OF DIVORCES  
AND LEGAL SEPARATIONS  
(Concluded June 1st, 1970)

The States signatory to the present Convention,

Desiring to facilitate the recognition of divorces and legal separations obtained in their respective territories,

Have resolved to conclude a Convention to this effect, and have agreed on the following provisions:

Article 1

The present Convention shall apply to the recognition in one Contracting State of divorces and legal separations obtained in another Contracting State which follow judicial or other proceedings officially recognized in that State and which are legally effective there.

The Convention does not apply to findings of fault or to ancillary orders pronounced on the making of a decree of divorce or legal separation; in particular, it does not apply to orders relating to pecuniary obligations or to the custody of children.

Article 2

Such divorces and legal separations shall be recognized in all other Contracting States, subject to the remaining terms of this Convention, if, at the date of the institution of the proceedings in the State of the divorce or legal separation (hereinafter called "the State of origin")—

- (1) The respondent had his habitual residence there; or
- (2) the petitioner had his habitual residence there and one of the following further conditions was fulfilled—
  - (a) Such habitual residence had continued for not less than one year immediately prior to the institution of proceedings;
  - (b) the spouses last habitually resided there together; or
- (3) both spouses were nationals of that State; or
- (4) the petitioner was a national of that State and one of the following further conditions was fulfilled—
  - (a) The petitioner had his habitual residence there; or
  - (b) he had habitually resided there for a continuous period of one year falling, at least in part, within the two years preceding the institution of the proceedings; or
- (5) the petitioner for divorce was a national of that State and both the following further conditions were fulfilled—
  - (a) The petitioner was present in that State at the date of institution of the proceedings; and
  - (b) the spouses last habitually resided together in a State whose law, at the date of institution of the proceedings, did not provide for divorce.

Article 3

Where the State of origin uses the concept of domicile as a test of jurisdiction in matters of divorce or legal separation, the expression "habitual residence" in Article 2 shall be deemed to include domicile as the term is used in that State.

Nevertheless, the preceding paragraph shall not apply to the domicile of dependence of a wife.

## Article 4

Where there has been a cross-petition, a divorce or legal separation following upon the petition or cross-petition shall be recognized if either falls within the terms of Articles 2 or 3.

## Article 5

Where a legal separation complying with the terms of this Convention has been converted into a divorce in the State of origin, the recognition of the divorce shall not be refused for the reason that the conditions stated in Articles 2 or 3 were no longer fulfilled at the time of the institution of the divorce proceedings.

## Article 6

Where the respondent has appeared in the proceedings, the authorities of the State in which recognition of a divorce or legal separation is sought shall be bound by the findings of fact on which jurisdiction was assumed.

The recognition of a divorce or legal separation shall not be refused—

- (a) Because the internal law of the State in which such recognition is sought would not allow divorce or, as the case may be, legal separation upon the same facts, or,
- (b) because a law was applied other than that applicable under the rules of private international law of that State.

Without prejudice to such review as may be necessary for the application of other provisions of this Convention, the authorities of the State in which recognition of a divorce or legal separation is sought shall not examine the merits of the decision.

## Article 7

Contracting States may refuse to recognize a divorce when, at the time it was obtained, both the parties were nationals of States which did not provide for divorce and of no other State.

## Article 8

If, in the light of all the circumstances, adequate steps were not taken to give notice of the proceedings for a divorce or legal separation to the respondent, or if he was not afforded a sufficient opportunity to present his case, the divorce or legal separation may be refused recognition.

## Article 9

Contracting States may refuse to recognize a divorce or legal separation if it is incompatible with a previous decision determining the matrimonial status of the spouses and that decision either was rendered in the State in which recognition is sought, or is recognized, or fulfils the conditions required for recognition, in that State.

## Article 10

Contracting States may refuse to recognize a divorce or legal separation if such recognition is manifestly incompatible with their public policy ("ordre public").

## Article 11

A State which is obliged to recognize a divorce under this Convention may not preclude either spouse from remarrying on the ground that the law of another State does not recognize that divorce.

## Article 12

Proceedings for divorce or legal separation in any Contracting State may be suspended when proceedings relating to the matrimonial status of either party to the marriage are pending in another Contracting State.

## Article 13

In the application of this Convention to divorces or legal separations obtained or sought to be recognized in Contracting States having, in matters of divorce or legal separation, two or more legal systems applying in different territorial units—

(1) Any reference to the law of the State of origin shall be construed as referring to the law of the territory in which the divorce or separation was obtained ;

(2) any reference to the law of the State in which recognition is sought shall be construed as referring to the law of the forum ; and

(3) any reference to domicile or residence in the State of origin shall be construed as referring to domicile or residence in the territory in which the divorce or separation was obtained.

## Article 14

For the purposes of Articles 2 and 3, where the State of origin has in matters of divorce or legal separation two or more legal systems applying in different territorial units—

(1) Article 2, sub-paragraph (3), shall apply where both spouses were nationals of the State of which the territorial unit where the divorce or legal separation was obtained forms a part, and that regardless of the habitual residence of the spouses ;

(2) Article 2, sub-paragraphs (4) and (5), shall apply where the petitioner was a national of the State of which the territorial unit where the divorce or legal separation was obtained forms a part.

## Article 15

In relation to a Contracting State having, in matters of divorce or legal separation, two or more legal systems applicable to different categories of persons, any reference to the law of that State shall be construed as referring to the legal system specified by the law of that State.

## Article 16

When, for the purposes of this Convention, it is necessary to refer to the law of a State, whether or not it is a Contracting State, other than the State of origin or the State in which recognition is sought, and having in matters of divorce or legal separation two or more legal systems of territorial or personal application, reference shall be made to the system specified by the law of that State.

## Article 17

This Convention shall not prevent the application in a Contracting State of rules of law more favourable to the recognition of foreign divorces and legal separations.

## Article 18

This Convention shall not affect the operation of other conventions to which one or several Contracting States are or may in the future become Parties and which contain provisions relating to the subject-matter of this Convention.

Contracting States, however, should refrain from concluding other conventions on the same matter incompatible with the terms of this Convention, unless for special reasons based on regional or other ties; and, notwithstanding the terms of such conventions, they undertake to recognize in accordance with this Convention divorces and legal separations granted in Contracting States which are not Parties to such other conventions.

#### Article 19

Contracting States may, not later than the time of ratification or accession, reserve the right—

(1) To refuse to recognize a divorce or legal separation between two spouses who, at the time of the divorce or legal separation, were nationals of the State in which recognition is sought, and of no other State, and a law other than that indicated by the rules of private international law of the State of recognition was applied, unless the result reached is the same as that which would have been reached by applying the law indicated by those rules;

(2) To refuse to recognize a divorce when, at the time it was obtained, both parties habitually resided in States which did not provide for divorce. A State which utilizes the reservation stated in this paragraph may not refuse recognition by the application of Article 7.

#### Article 20

Contracting States whose law does not provide for divorce may, not later than the time of ratification or accession, reserve the right not to recognize a divorce if, at the date it was obtained, one of the spouses was a national of a State whose law did not provide for divorce.

This reservation shall have effect only so long as the law of the State utilizing it does not provide for divorce.

#### Article 21

Contracting States whose law does not provide for legal separation may, not later than the time of ratification or accession, reserve the right to refuse to recognize a legal separation when, at the time it was obtained, one of the spouses was a national of a Contracting State whose law did not provide for legal separation.

#### Article 22

Contracting States may, from time to time, declare that certain categories of persons having their nationality need not be considered their nationals for the purposes of this Convention.

#### Article 23

If a Contracting State has more than one legal system in matters of divorce or legal separation, it may, at the time of signature, ratification or accession, declare that this Convention shall extend to all its legal systems or only to one or more of them, and may modify its declaration by submitting another declaration at any time thereafter.

These declarations shall be notified to the Ministry of Foreign Affairs of the Netherlands, and shall state expressly the legal systems to which the Convention applies.

Contracting States may decline to recognize a divorce or legal separation if, at the date on which recognition is sought, the Convention is not applicable to the legal system under which the divorce or legal separation was obtained.

## Article 24

This Convention applies regardless of the date on which the divorce or legal separation was obtained.

Nevertheless a Contracting State may, not later than the time of ratification or accession, reserve the right not to apply this Convention to a divorce or to a legal separation obtained before the date on which, in relation to that State, the Convention comes into force.

## Article 25

Any State may, not later than the moment of its ratification or accession, make one or more of the reservations mentioned in Articles 19, 20, 21 and 24 of the present Convention. No other reservation shall be permitted.

Each Contracting State may also, when notifying an extension of the Convention in accordance with Article 29, make one or more of the said reservations, with its effect limited to all or some of the territories mentioned in the extension.

Each Contracting State may at any time withdraw a reservation it has made. Such a withdrawal shall be notified to the Ministry of Foreign Affairs of the Netherlands.

Such a reservation shall cease to have effect on the sixtieth day after the notification referred to in the preceding paragraph.

## Article 26

The present Convention shall be open for signature by the States represented at the Eleventh Session of the Hague Conference on Private International Law.

It shall be ratified, and the instruments of ratification shall be deposited with the Ministry of Foreign Affairs of the Netherlands.

## Article 27

The present Convention shall enter into force on the sixtieth day after the deposit of the third instrument of ratification referred to in the second paragraph of Article 26.

The Convention shall enter into force for each signatory State which ratifies subsequently on the sixtieth day after the deposit of its instrument of ratification.

## Article 28

Any State not represented at the Eleventh Session of the Hague Conference on Private International Law which is a Member of this Conference or of the United Nations or of a specialized agency of that Organization, or a Party to the Statute of the International Court of Justice may accede to the present Convention after it has entered into force in accordance with the first paragraph of Article 27.

The instrument of accession shall be deposited with the Ministry of Foreign Affairs of the Netherlands.

The Convention shall enter into force for a State acceding to it on the sixtieth day after the deposit of its instrument of accession.

The accession will have effect only as regards the relations between the acceding State and such Contracting States as will have declared their acceptance of the accession. Such a declaration shall be deposited at the Ministry of Foreign Affairs of the Netherlands; this Ministry shall forward, through diplomatic channels, a certified copy to each of the Contracting States.

The Convention will enter into force as between the acceding State and the State that has declared its acceptance of the accession on the sixtieth day after the deposit of the declaration of acceptance.

#### Article 29

Any State may, at the time of signature, ratification or accession, declare that the present Convention shall extend to all the territories for the international relations of which it is responsible, or to one or more of them. Such a declaration shall take effect on the date of entry into force of the Convention for the State concerned.

At any time thereafter, such extensions shall be notified to the Ministry of Foreign Affairs of the Netherlands.

The extension will have effect only as regards the relations with such Contracting States as will have declared their acceptance of the extensions. Such a declaration shall be deposited at the Ministry of Foreign Affairs of the Netherlands; this Ministry shall forward, through diplomatic channels, a certified copy to each of the Contracting States.

The extension will take effect in each case sixty days after the deposit of the declaration of acceptance.

#### Article 30

The present Convention shall remain in force for five years from the date of its entry into force in accordance with the first paragraph of Article 27, even for States which have ratified it or acceded to it subsequently.

If there has been no denunciation, it shall be renewed tacitly every five years.

Any denunciation shall be notified to the Ministry of Foreign Affairs of the Netherlands, at least six months before the end of the five year period.

It may be limited to certain of the territories to which the Convention applies.

The denunciation shall have effect only as regards the State which has notified it. The Convention shall remain in force for the other Contracting States.

#### Article 31

The Ministry of Foreign Affairs of the Netherlands shall give notice to the States referred to in Article 26, and to the States which have acceded in accordance with Article 28, of the following—

- (a) The signatures and ratifications referred to in Article 26;
- (b) the date on which the present Convention enters into force in accordance with the first paragraph of Article 27;
- (c) the accessions referred to in Article 28 and the dates on which they take effect;
- (d) the extensions referred to in Article 29 and the dates on which they take effect;
- (e) the denunciations referred to in Article 30;
- (f) the reservations and withdrawals referred to in Articles 19, 20, 21, 24 and 25;
- (g) the declarations referred to in Articles 22, 23, 28 and 29.

In witness whereof the undersigned, being duly authorized thereto, have signed the present Convention.

Done at the Hague, on the first day of June, 1970, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Government of the Netherlands, and of which a certified copy shall be sent, through the diplomatic channel to each of the States represented at the Eleventh Session of the Hague Conference on Private International Law.

Reservation by the Republic of Cyprus:

The Republic of Cyprus reserves the right, under para. (1) of Art. 19, to refuse to recognise a divorce or legal separation between two spouses who, at the time of the divorce or legal separation, were both citizens of the Republic of Cyprus and of no other State and a law other than that indicated by the rules of private international law obtaining in Cyprus was applied, unless the result reached is the same as that which would have been reached by applying the law indicated by those rules.

## ΜΕΡΟΣ ΙΙ

### ΣΥΜΒΑΣΙΣ ΤΗΣ ΧΑΓΗΣ ΠΕΡΙ ΤΗΣ ΑΝΑΓΝΩΡΙΣΕΩΣ ΔΙΑΖΥΓΙΩΝ ΚΑΙ ΝΟΜΙΜΩΝ ΧΩΡΙΣΜΩΝ

Τὰ ὑπογράφοντα τὴν παρούσαν Σύμβασιν Κράτη,

Ἐπιθυμοῦντα τὴν διευκόλυνσιν τῆς ἀναγνώρισεως διαζυγίων καὶ νομίμων χωρισμῶν ἐπιτευχθέντων εἰς τὰς ἀντιστοίχους αὐτῶν ἐπικρατείας,

Ἀπεφάσισαν νὰ συνομολογήσουν πρὸς τοῦτο Σύμβασιν καὶ συνεφώνησαν ἐπὶ τῶν ἀκολουθῶν διατάξεων:

#### Ἄρθρον 1

Ἡ παρούσα Σύμβασις θὰ ἐφαρμόζηται ἐπὶ τῆς ἀναγνώρισεως εἰς ἓν Συμβαλλόμενον Κράτος διαζυγίων καὶ νομίμων χωρισμῶν ἐπιτευχθέντων εἰς ἕτερον Συμβαλλόμενον Κράτος, τὰ ὁποῖα διαζύγια καὶ νόμιμοι χωρισμοὶ ἦσαν τὸ ἀποτέλεσμα δικαστικῶν ἢ ἐτέρων διαδικασιῶν ἐπισημῶς ἀνεγνωρισμένων εἰς τὸ Κράτος τοῦτο καὶ τὰ ὁποῖα εἶναι νομικῶς ἔγκυρα ἐκεῖ.

Ἡ Σύμβασις δὲν ἐφαρμόζεται εἰς διαπιστώσεις ὑπαιτιότητος ἢ εἰς παρεπόμενα διατάγματα ἀπαγγελλόμενα κατὰ τὴν ἔκδοσιν ἀποφάσεως διαζυγίου ἢ νομίμου χωρισμοῦ· εἰδικώτερον, αὕτη δὲν ἐφαρμόζεται εἰς διατάγματα ἀφορῶντα εἰς χρηματικὰς ὑποχρεώσεις ἢ τὴν κηδεμονίαν τῶν τέκνων.

#### Ἄρθρον 2

Τὰ διαζύγια ταῦτα καὶ οἱ νόμιμοι χωρισμοὶ θὰ ἀναγνωρίζωνται εἰς ὅλα τὰ λοιπὰ Συμβαλλόμενα Κράτη, ὑπὸ τὴν ἐπιφύλαξιν τῶν ὑπολοίπων ὄρων τῆς παρούσης Συμβάσεως, ἐὰν κατὰ τὴν ἡμερομηνίαν κινήσεως τῆς διαδικασίας εἰς τὸ Κράτος τοῦ διαζυγίου ἢ τοῦ νομίμου χωρισμοῦ (ἐφεξῆς καλουμένου «τὸ Κράτος προελεύσεως») —

- (1) Ὁ καθ' οὗ ἡ αἴτησις εἶχε τὴν συνήθη διαμονὴν αὐτοῦ ἐκεῖ ἢ
- (2) ὁ αἰτητὴς εἶχε τὴν συνήθη διαμονὴν αὐτοῦ ἐκεῖ καὶ ὑφίστατο μίαν ἐκ τῶν κάτωθι περαιτέρω προϋποθέσεων:
  - (α) Ἡ τοιαύτη συνήθης διαμονὴ ὑφίστατο συνεχῶς ἐπὶ ἓν τοῦλάχιστον ἔτος ἀμέσως πρὸ τῆς κινήσεως τῆς διαδικασίας
  - (β) οἱ σύζυγοι συνήθως διέμενον ὁμοῦ ἐκεῖ ἐσχάτως ἢ
- (3) ἀμφότεροι οἱ σύζυγοι ἦσαν ὑπήκοοι τοῦ ἐν λόγῳ Κράτους ἢ
- (4) ὁ αἰτητὴς ἦτο ὑπήκοος τοῦ ἐν λόγῳ Κράτους καὶ ὑφίστατο μίαν ἐκ τῶν κάτωθι περαιτέρω προϋποθέσεων—



- (α) Ὁ αἰτητῆς εἶχε τὴν συνήθη διαμονὴν αὐτοῦ ἐκεῖ ἢ
- (β) οὗτος συνήθως διέμενεν ἐκεῖ ἐπὶ συνεχῆ περίοδον ἑνὸς ἔτους διανυθεῖσαν, τοῦλάχιστον μερικῶς, ἐντὸς τῶν δύο ἔτων ἅτινα προηγήθησαν τῆς κινήσεως τῆς διαδικασίας ἢ
- (5) ὁ αἰτητῆς διαζυγίου ἦτο ὑπῆκοος τοῦ ἐν λόγῳ Κράτους καὶ ὑφίσταντο ἀμφότεραι αἱ κάτωθι περαιτέρω προϋποθέσεις—
- (α) Ὁ αἰτητῆς εὐρίσκετο εἰς τὸ ἐν λόγῳ Κράτος κατὰ τὴν ἡμερομηνίαν κινήσεως τῆς διαδικασίας, καὶ
- (β) οἱ σύζυγοι συνήθως διέμενον ὁμοῦ εἰς Κράτος τοῦ ὁποῦ τοῦ δίκαιον, κατὰ τὴν ἡμερομηνίαν κινήσεως τῆς διαδικασίας, δὲν προέβλεπε τὸν θεσμόν τοῦ διαζυγίου.

#### Ἄρθρον 3

Ὅσακις τὸ Κράτος προελεύσεως χρησιμοποιεῖ τὴν ἔννοιαν τῆς μόνιμου κατοικίας ὡς κριτήριον δικαιοδοσίας εἰς ὑποθέσεις διαζυγίου ἢ νομίμου χωρισμοῦ, ἢ φράσις «συνήθης διαμονή» εἰς τὸ Ἄρθρον 2 θὰ θεωρῆται ὅτι περιλαμβάνει τὴν μόνιμον κατοικίαν ὡς ὁ ὅρος οὗτος χρησιμοποιεῖται εἰς τὸ Κράτος τοῦτο.

Παραταῦτα, ἢ προηγουμένη παράγραφος δὲν θὰ ἐφαρμόζεται εἰς τὴν ἐξηρητημένην μόνιμον κατοικίαν τῆς συζύγου.

#### Ἄρθρον 4

Ὅσακις ἐγείρεται ἀνταίτησις, τὸ κατόπιν τῆς αἰτήσεως ἢ ἀνταίτησεως ἀκολουθοῦν διαζύγιον ἢ νόμιμος χωρισμὸς θὰ ἀναγνωρίζεται ἐὰν ἑκατέρω τούτων ἐμπίπτῃ ἐντὸς τῶν ὅρων τῶν Ἀρθρῶν 2 ἢ 3.

#### Ἄρθρον 5

Ὅσακις νόμιμος χωρισμὸς πληρῶν τὸς ὅρους τῆς παρούσης Συμβάσεως ἔχει μετατραπῆ εἰς διαζύγιον εἰς τὸ Κράτος προελεύσεως, ἢ ἀναγνώρισις τοῦ διαζυγίου δὲν θὰ ἀποκρούεται διὰ τὸν λόγον ὅτι αἱ εἰς τὰ Ἄρθρα 2 ἢ 3 ἀναφερόμεναι προϋποθέσεις δὲν πληροῦνται πλέον κατὰ τὴν στιγμὴν τῆς κινήσεως τῆς διαδικασίας τοῦ διαζυγίου.

#### Ἄρθρον 6

Ὅσακις ὁ καθ' οὗ ἢ αἰτήσεις ἔχει ἐμφανισθῆ εἰς τὴν διαδικασίαν, αἱ ἀρχαὶ τοῦ Κράτους εἰς τὸ ὁποῖον ἐπιδιώκεται ἢ ἀναγνώρισις διαζυγίου ἢ νομίμου χωρισμοῦ θὰ δεσμεύονται ἀπὸ τὰς διαπιστώσεις γεγονότων ἐπὶ τῶν ὁποίων ἐβασίσθη ἢ δικαιοδοσία.

Ἡ ἀναγνώρισις διαζυγίου ἢ νομίμου χωρισμοῦ δὲν θὰ ἀποκρούεται—

- (α) Διὰ τὸν λόγον ὅτι τὸ ἐσωτερικὸν δίκαιον τοῦ Κράτους εἰς τὸ ὁποῖον ἐπιδιώκεται ἢ τοιαύτη ἀναγνώρισις δὲν θὰ ἐπέτρεπε τὸ διαζύγιον ἢ, ὡς ἤθελεν εἶναι ἢ περίπτωσις, τὸν νόμιμον χωρισμὸν θάσει τῶν ἰδίων γεγονότων, ἢ
- (β) διὰ τὸν λόγον ὅτι ἐφηρμόσθη δίκαιον ἄλλο ἀπὸ ἐκεῖνο τὸ ὁποῖον εἶναι ἐφαρμοστέον δυνάμει τῶν κανόνων τοῦ ἰδιωτικοῦ διεθνοῦς δικαίου τοῦ ἐν λόγῳ Κράτους.

Ἄνευ ἐπηρεασμοῦ τοιαύτης ἀναθεωρήσεως ὡς ἤθελε καταστῆ ἀναγκαία διὰ τὴν ἐφαρμογὴν ἐτέρων διατάξεων τῆς παρούσης Συμβάσεως, αἱ ἀρχαὶ τοῦ Κράτους εἰς τὸ ὁποῖον ἐπιδιώκεται ἀναγνώρισις διαζυγίου ἢ νομίμου χωρισμοῦ δὲν θὰ ἐξετάζουσι τὴν οὐσίαν τῆς ἀποφάσεως.

## "Άρθρον 7

Τὰ Συμβαλλόμενα Κράτη δύνανται νὰ ἀρνηθοῦν τὴν ἀναγνώρισιν διαζυγίου ὁσάκις, κατὰ τὸν χρόνον τῆς ἐκδόσεώς του, ἀμφότεροι οἱ διάδικοι ἦσαν ἀποκλειστικῶς ὑπήκοοι Κρατῶν τὰ ὁποῖα δὲν προέβλεπον περὶ τοῦ θεσμοῦ τοῦ διαζυγίου.

## "Άρθρον 8

Ἐάν, ὑπὸ τὸ φῶς ὅλων τῶν περιστάσεων, δὲν ἐλήφθησαν ἐπαρκῆ μέτρα γνωστοποιήσεως τῆς διαδικασίας διαζυγίου ἢ νομίμου χωρισμοῦ εἰς τὸν καθ' οὗ ἢ αἰτήσεις, ἢ ἐάν εἰς τοῦτον δὲν παρεσχέθη ἐπαρκῆς εὐκαιρία παρουσιάσεως τῆς ὑποθέσεώς του, τὸ διαζύγιον ἢ ὁ νόμιμος χωρισμὸς δυνατὸν νὰ μὴ τύχη ἀναγνώρισεως.

## "Άρθρον 9

Τὰ Συμβαλλόμενα Κράτη δύνανται νὰ ἀρνηθοῦν τὴν ἀναγνώρισιν διαζυγίου ἢ νομίμου χωρισμοῦ, ἐάν τὸ διαζύγιον ἢ ὁ νόμιμος χωρισμὸς εἶναι ἀσυμβίβαστος πρὸς προηγουμένην ἀπόφασιν ρυθμίσασαν τὸ γαμικὸν καθεστῶς τῶν συζύγων, ἢ δὲ σχετικὴ ἀπόφασις εἴτε ἐξεδόθη εἰς τὸ Κράτος εἰς τὸ ὁποῖον ἐπιδιώκεται ἀναγνώρισις, εἴτε ἀναγνωρίζεται εἴτε πληροὶ τὰς ἀπαιτούμενας πρὸς ἀναγνώρισιν εἰς τὸ Κράτος τοῦτο προϋποθέσεις.

## "Άρθρον 10

Τὰ Συμβαλλόμενα Κράτη δύνανται νὰ ἀρνηθοῦν τὴν ἀναγνώρισιν διαζυγίου ἢ νομίμου χωρισμοῦ, ἐάν ἡ τοιαύτη ἀναγνώρισις εἶναι καταδήλως ἀσυμβίβαστος πρὸς τὴν δημοσίαν αὐτῶν τάξιν ("ordre public").

## "Άρθρον 11

Κράτος ὑποχρεούμενον δυνάμει τῆς παρουσίας Συμβάσεως εἰς ἀναγνώρισιν διαζυγίου τινὸς δὲν δύναται νὰ ἀποκλείσῃ ἐκάτερον σύζυγον τῆς τελέσεως νέου γάμου διὰ τὸν λόγον ὅτι τὸ δίκαιον ἐτέρου Κράτους δὲν ἀναγνωρίζει τὸ διαζύγιον τοῦτο.

## "Άρθρον 12

Ἡ διαδικασία διαζυγίου ἢ νομίμου χωρισμοῦ εἰς οἰονδήποτε Συμβαλλόμενον Κράτος δύναται νὰ ἀνασταλῇ ὁσάκις ἐκκρεμῆ εἰς ἕτερον Συμβαλλόμενον Κράτος διαδικασία ἀφωρῶσα εἰς τὸ γαμικὸν καθεστῶς ἐκατέρου τῶν συζύγων.

## "Άρθρον 13

Κατὰ τὴν ἐφαρμογὴν τῆς παρουσίας Συμβάσεως εἰς διαζύγια ἢ νομίμους χωρισμούς ἐπιτευχθέντας ἢ ἐπιδιωκόμενους νὰ ἀναγνωρισθοῦν εἰς Συμβαλλόμενα Κράτη ἔχοντα, προκειμένου περὶ ὑποθέσεων διαζυγίου ἢ νομίμου χωρισμοῦ, δύο ἢ πλεονα νομικὰ συστήματα ἰσχύοντα εἰς διαφόρους ἑδαφικὰς ἐνότητες—

- (1) Πᾶσα ἀναφορὰ εἰς τὸ δίκαιον τοῦ Κράτους προελεύσεως θὰ ἐρμηνεύηται ὡς ἀναφορὰ εἰς τὸ δίκαιον τῆς ἐπικρατείας εἰς τὴν ὁποίαν ἐπετεύχθη τὸ διαζύγιον ἢ ὁ χωρισμὸς·
- (2) πᾶσα ἀναφορὰ εἰς τὸ δίκαιον τοῦ Κράτους εἰς τὸ ὁποῖον ἐπιδιώκεται ἀναγνώρισις θὰ ἐρμηνεύηται ὡς ἀναφορὰ εἰς τὸ δίκαιον τοῦ forum· καὶ
- (3) πᾶσα ἀναφορὰ εἰς μόνιμον κατοικίαν ἢ διαμονὴν εἰς τὸ Κράτος προελεύσεως θὰ ἐρμηνεύηται ὡς ἀναφορὰ εἰς μόνιμον κατοικίαν ἢ διαμονὴν εἰς τὴν ἐπικράτειαν εἰς τὴν ὁποίαν ἐπετεύχθη τὸ διαζύγιον ἢ ὁ χωρισμὸς.

## "Άρθρον 14

Διὰ τούς σκοπούς τῶν "Άρθρων 2 καὶ 3, ὡσάκις τὸ Κράτος προελεύσεως ἔχει δύο ἢ πλείονα νομικά συστήματα ἰσχύοντα εἰς διαφόρους ἐδαφικὰς ἐνότητες—

- (1) Τὸ "Άρθρον 2, ὑποπαράγραφος (3), θὰ ἐφαρμόζηται ὡσάκις ἀμφότεροι οἱ σύζυγοι ἦσαν ὑπήκοοι τοῦ Κράτους τοῦ ὁποίου ἀποτελεῖ τμῆμα ἢ ἐδαφικὴ ἐνότης ἐνθα ἐπετεύχθη τὸ διαζύγιον ἢ ὁ νόμιμος χωρισμός, καὶ τοῦτο ἀνεξαρτήτως τῆς συνήθους διαμονῆς τῶν συζύγων·
- (2) τὸ "Άρθρον 2, ὑποπαράγραφοι (4) καὶ (5) θὰ ἐφαρμόζηται ὡσάκις ὁ αἰτητὴς ἦτο ὑπήκοος τοῦ Κράτους τοῦ ὁποίου ἀποτελεῖ τμῆμα ἢ ἐδαφικὴ ἐνότης ἐνθα ἐπετεύχθη τὸ διαζύγιον ἢ ὁ νόμιμος χωρισμός.

## "Άρθρον 15

Ἐν σχέσει πρὸς Συμβαλλόμενον Κράτος ἔχον, προκειμένου περὶ ὑποθέσεων διαζυγίου ἢ νομίμου χωρισμοῦ, δύο ἢ πλείονα νομικά συστήματα ἰσχύοντα ἐπὶ διαφόρων κατηγοριῶν προσώπων, πᾶσα ἀναφορά εἰς τὸ δίκαιον τοῦ ἐν λόγω Κράτους θὰ ἐρμηνεύηται ὡς ἀναφορά εἰς τὸ νομικὸν σύστημα τὸ καθοριζόμενον ὑπὸ τοῦ δικαίου τοῦ Κράτους τούτου.

## "Άρθρον 16

Ὅσάκις διὰ τούς σκοπούς τῆς παρουσίας Συμβάσεως εἶναι ἀπαρτήτος ἢ ἀναφορά εἰς τὸ δίκαιον ἑνὸς Κράτους, Συμβαλλομένου ἢ μὴ, ἄλλου ἢ τοῦ Κράτους προελεύσεως ἢ τοῦ Κράτους εἰς τὸ ὅποιον ἐπιδιώκεται ἀναγνώρισις, καὶ τὸ ὅποιον ἔχει, προκειμένου περὶ ὑποθέσεων διαζυγίου ἢ νομίμου χωρισμοῦ, δύο ἢ πλείονα συστήματα ἐδαφικῆς ἢ προσωπικῆς ἰσχύος, δεόν ὅπως γίνηται ἀναφορά εἰς τὸ σύστημα τὸ καθοριζόμενον ὑπὸ τοῦ δικαίου τοῦ Κράτους τούτου.

## "Άρθρον 17

Ἡ παρούσα Σύμβασις δὲν θὰ κωλύη τὴν ἐφαρμογὴν εἰς ἓν Συμβαλλόμενον Κράτος κανόνων δικαίου εὐνοϊκωτέρων ὡς πρὸς τὴν ἀναγνώρισιν ἀλλοδαπῶν διαζυγίων καὶ νομίμων χωρισμῶν.

## "Άρθρον 18

Ἡ παρούσα Σύμβασις δὲν θὰ ἐπηρεάζη τὴν ἰσχὺν ἐτέρων συμβάσεων εἰς τὰς ὁποίας ἐν ἢ πλείονα Συμβαλλόμενα Κράτη εἶναι ἢ δυνατὸν εἰς τὸ μέλλον νὰ καταστοῦν συμβαλλόμενα μέρη καὶ εἰς τὰς ὁποίας περιέχονται διατάξεις ἀφορῶσαι εἰς τὸ ἀντικείμενον ρυθμίσεως τῆς παρουσίας Συμβάσεως.

Τὰ Συμβαλλόμενα Κράτη, ὅμως, ὀφείλουν νὰ ἀπέχουν τῆς συνάψεως ἐτέρων συμβάσεων ἐπὶ τοῦ ἰδίου θέματος ἀσυμβιβάστων πρὸς τούς ὅρους τῆς παρουσίας Συμβάσεως, ἐκτὸς ἐὰν ὑφίστανται εἰδικοὶ λόγοι ἐρειθόμενοι ἐπὶ περιφερειακῶν ἢ ἄλλων δεσμῶν· παρὰ δὲ τὴν ὑπαρξιν τῶν ὄρων τοιούτων συμβάσεων, ταῦτα ἀναλαμβάνουν νὰ ἀναγνωρίζουν συμφώνως πρὸς τὴν παρούσαν Σύμβασιν διαζύγια καὶ νομίμους χωρισμούς ἐκδοθέντας εἰς Συμβαλλόμενα Κράτη τὰ ὁποία δὲν εἶναι συμβαλλόμενα μέρη τῶν τοιούτων ἐτέρων συμβάσεων.

## "Άρθρον 19

Τὰ Συμβαλλόμενα Κράτη δύνανται, οὐχὶ ἀργότερον τοῦ χρόνου ἐπικυρώσεως ἢ προσχωρήσεως, νὰ ἐπιφυλάξουν τὸ δίκαιωμα—

- (1) Νὰ ἀρνοῦνται τὴν ἀναγνώρισιν διαζυγίου ἢ νομίμου χωρισμοῦ μεταξύ δύο συζύγων ὡσάκις οὗτοι, κατὰ τὸν χρόνον

του διαζυγίου ή του νομίμου χωρισμού, ήσαν αποκλειστικώς ύπήκοοι του Κράτους εις τὸ ὁποῖον ἐπιδιώκεται ἀναγνώρισις, ἐφηρμόσθη δὲ δίκαιον ἕτερον ἢ τὸ ἐνδεικνυόμενον ὑπὸ τῶν κανόνων τοῦ ἰδιωτικοῦ διεθνούς δικαίου τοῦ Κράτους τῆς ἀναγνώρισεως, ἐκτὸς ἐὰν τὸ προκῦψαν ἀποτέλεσμα εἶναι τὸ αὐτὸ ὡς καὶ ἐκεῖνο τὸ ὁποῖον θὰ προέκυπτε διὰ τῆς ἐφαρμογῆς τοῦ ὑπὸ τῶν ἐν λόγῳ κανόνων ἐνδεικνυομένου δικαίου.

- (2) νὰ ἀρνοῦνται τὴν ἀναγνώρισιν διαζυγίου ὁσάκις, κατὰ τὸν χρόνον τῆς ἐπιτευξέως του, ἀμφότεροι οἱ σύζυγοι συνήθως διέμενον εἰς Κράτη τὰ ὁποῖα δὲν προέβλεπον τὸ θεσμὸν τοῦ διαζυγίου. Κράτος τὸ ὁποῖον χρησιμοποιεῖ τὴν ἐπιφύλαξιν τῆς παρουσίας παραγράφου δὲν δύναται νὰ ἀρνηθῆ τὴν ἀναγνώρισιν διὰ τῆς ἐφαρμογῆς τοῦ ἄρθρου 7.

#### ἄρθρον 20

Συμβαλλόμενα Κράτη τῶν ὁποίων τὸ δίκαιον δὲν προβλέπει τὸν θεσμὸν τοῦ διαζυγίου δύναται, οὐχὶ ἀργότερον τοῦ χρόνου ἐπικυρώσεως ἢ προσχωρήσεως, νὰ ἐπιφυλάξουν τὸ δικαίωμα τῆς μὴ ἀναγνώρισεως διαζυγίου τινὸς ἐὰν, κατὰ τὴν ἡμερομηνίαν ἐπιτευξέως του, εἰς τῶν συζύγων ἦτο ὑπήκοος Κράτους τοῦ ὁποίου τὸ δίκαιον δὲν προέβλεπε τὸν θεσμὸν τοῦ διαζυγίου.

Ἡ ἐπιφύλαξις αὕτη θὰ ἔχη ἰσχὺν μόνον ἐφ' ὅσον χρόνον τὸ δίκαιον τοῦ Κράτους, τὸ ὁποῖον χρησιμοποιεῖ αὐτὴν, δὲν προβλέπει τὸν θεσμὸν τοῦ διαζυγίου.

#### ἄρθρον 21

Συμβαλλόμενα Κράτη τῶν ὁποίων τὸ δίκαιον δὲν προβλέπει τὸν θεσμὸν τοῦ νομίμου χωρισμοῦ δύναται, οὐχὶ ἀργότερον τοῦ χρόνου ἐπικυρώσεως ἢ προσχωρήσεως, νὰ ἐπιφυλάξουν τὸ δικαίωμα νὰ ἀρνοῦνται τὴν ἀναγνώρισιν νομίμου τινὸς χωρισμοῦ ὁσάκις, κατὰ τὸν χρόνον ἐπιτευξέως του, εἰς τῶν συζύγων ἦτο ὑπήκοος Συμβαλλομένου τινὸς Κράτους τοῦ ὁποίου τὸ δίκαιον δὲν προέβλεπε τὸν θεσμὸν τοῦ νομίμου χωρισμοῦ.

#### ἄρθρον 22

Τὰ Συμβαλλόμενα Κράτη δύναται, ἀπὸ καιροῦ εἰς καιρὸν, νὰ ἀνακοινοῦν ὅτι ὄρισμένα κατηγορία προσώπων ἐχόντων τὴν ἰθαγένειαν αὐτῶν δὲν χρειάζεται νὰ θεωρῶνται ὑπήκοοι αὐτῶν διὰ τοὺς σκοποὺς τῆς παρουσίας Συμβάσεως.

#### ἄρθρον 23

Ἐὰν Συμβαλλόμενόν τι Κράτος ἔχη δι' ὑποθέσεις διαζυγίου ἢ νομίμου χωρισμοῦ πλείονα τοῦ ἑνὸς νομικὰ συστήματα, τοῦτο δύναται, κατὰ τὸν χρόνον τῆς ὑπογραφῆς, ἐπικυρώσεως ἢ προσχωρήσεως, νὰ δηλώσῃ ὅτι ἡ παρούσα Σύμβασις θὰ ἐπεκταθῆ εἰς ὅλα τὰ νομικὰ αὐτοῦ συστήματα ἢ μόνον εἰς ἓν ἢ εἰς πλείονα ἐξ αὐτῶν, δύναται δὲ νὰ τροποποιῆ τὴν δήλωσίν του δι' ὑποβολῆς ἐτέρας δηλώσεως καθ' οἷονδήποτε μεταγενέστερον χρόνον.

Αἱ ἐν λόγῳ δηλώσεις θὰ γνωστοποιῶνται εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας καὶ θὰ ἀναφέρουν ρητῶς τὰ νομικὰ συστήματα εἰς τὰ ὁποῖα ἐφαρμόζεται ἡ Σύμβασις.

Τὰ Συμβαλλόμενα Κράτη δύναται νὰ ἀρνηθοῦν τὴν ἀναγνώρισιν διαζυγίου ἢ νομίμου χωρισμοῦ ἐὰν, κατὰ τὴν ἡμερομηνίαν κατὰ τὴν ὁποίαν ἐπιδιώκεται ἡ ἀναγνώρισις, ἡ Σύμβασις δὲν εἶναι ἐφαρμοστέα ἐπὶ τοῦ νομικοῦ συστήματος δυνάμει τοῦ ὁποίου ἐπετεύχθη τὸ διαζύγιον ἢ ὁ νόμιμος χωρισμός.

## "Άρθρον 24

Ἡ παρούσα Σύμβασις ἐφαρμόζεται ἀνεξαρτήτως τῆς ἡμερομηνίας κατὰ τὴν ὁποίαν ἐπετεύχθη τὸ διαζύγιον ἢ ὁ νόμιμος χωρισμός.

Ἐν τούτοις ἐν Συμβαλλόμενον Κράτος δύναται, οὐχὶ ἀργότερον τοῦ χρόνου ἐπικυρώσεως ἢ προσχωρήσεως, νὰ ἐπιφυλάξῃ τὸ δικαίωμα νὰ μὴ ἐφαρμόξῃ τὴν Σύμβασιν εἰς διαζύγιον ἢ νόμιμον χωρισμὸν ἐπιτευχθέντα πρὸ τῆς ἡμερομηνίας κατὰ τὴν ὁποίαν ἄρχεται ἰσχύουσα ἢ Σύμβασις ἔναντι τοῦ Κράτους τούτου.

## "Άρθρον 25

Πᾶν Κράτος δύναται, οὐχὶ ἀργότερον τῆς στιγμῆς τῆς ἐπικυρώσεως ἢ προσχωρήσεως, νὰ προβῇ εἰς τὰς ἐπιφυλάξεις τὰς μνημονευόμενας εἰς τὰ ἄρθρα 19, 20, 21 καὶ 24 τῆς παρούσης Συμβάσεως. Οὐδεμία ἄλλη ἐπιφύλαξις ἐπιτρέπεται.

Ἐκαστον Συμβαλλόμενον Κράτος δύναται ἐπίσης, ὅταν γνωστοποιῇ ἐπέκτασιν τῆς Συμβάσεως συμφώνως πρὸς τὸ ἄρθρον 29, νὰ προβῇ εἰς μίαν ἢ πλείονας ἐκ τῶν εἰρημένων ἐπιφυλάξεων, ἢ ἰσχύς τῆς ὁποίας νὰ περιορίζεται εἰς ὅλας ἢ εἰς ὠρισμένας ἐκ τῶν ἐδαφικῶν ἐπικρατειῶν τῶν ἀναφερομένων εἰς τὴν ἐπέκτασιν.

Ἐκαστον Συμβαλλόμενον Κράτος δύναται ὁποτεδήποτε νὰ ἀνακαλέσῃ τὴν ἐπιφύλαξιν εἰς τὴν ὁποίαν προέβη. Ἡ τοιαύτη ἀνάκλησις θὰ γνωστοποιῆται εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας.

Ἡ τοιαύτη ἐπιφύλαξις θὰ παύῃ ἔχουσα οἰανδήποτε ἰσχὺν τὴν δεκάτην ἕκτην ἡμέραν ἀπὸ τῆς ἐν τῇ προηγουμένῃ παραγράφῳ ἀναφερομένης γνωστοποιήσεως.

## "Άρθρον 26

Ἡ παρούσα Σύμβασις θὰ εἶναι ἀνοικτὴ πρὸς ὑπογραφήν ὑπὸ τῶν Κρατῶν τὰ ὁποῖα ἀντεπροσωπεύθησαν κατὰ τὴν Ἐνδεκάτην Σύνοδον τῆς Διασκέψεως τῆς Χάγης ἐπὶ τοῦ Ἰδιωτικοῦ Διεθνοῦς Δικαίου.

Αὕτη θὰ ἐπικυρωθῇ, τὰ δὲ ἔγγραφα ἐπικυρώσεως θὰ κατατεθοῦν εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας.

## "Άρθρον 27

Ἡ παρούσα Σύμβασις θὰ ἀρχίσῃ ἰσχύουσα τὴν δεκάτην ἕκτην ἡμέραν ἀπὸ τῆς καταθέσεως τοῦ τρίτου ἔγγραφου ἐπικυρώσεως ὡς ἀναφέρεται εἰς τὴν δευτέραν παράγραφον τοῦ ἄρθρου 26.

Ἡ Σύμβασις θὰ ἀρχίξῃ ἰσχύουσα ἔναντι ἐνὸς ἐκάστου ὑπογράφοντος Κράτους, τὸ ὁποῖον μεταγενεστέρως ἐπικυροῖ αὐτήν, τὴν δεκάτην ἕκτην ἡμέραν ἀπὸ τῆς καταθέσεως τοῦ οἰκείου αὐτοῦ ἔγγραφου ἐπικυρώσεως.

## "Άρθρον 28

Πᾶν Κράτος μὴ ἀντιπροσωπευθὲν κατὰ τὴν Ἐνδεκάτην Σύνοδον τῆς Διασκέψεως τῆς Χάγης ἐπὶ τοῦ Ἰδιωτικοῦ Διεθνοῦς Δικαίου, τὸ ὁποῖον εἶναι Μέλος τῆς παρούσης Διασκέψεως ἢ τῶν Ἠνωμένων Ἐθνῶν ἢ ἐξειδικευμένης τινὸς ὑπηρεσίας τοῦ ἐν λόγω Ὄργανισμοῦ, ἢ Συμβαλλόμενον Μέρος τοῦ Καταστατικοῦ τοῦ Διεθνοῦς Δικαστηρίου τῆς Δικαιοσύνης, δύναται νὰ προσχωρήσῃ εἰς τὴν παρούσαν Σύμβασιν μετὰ τὴν ἔναρξιν ἰσχύος αὐτῆς συμφώνως πρὸς τὴν πρώτην παράγραφον τοῦ ἄρθρου 27.

Τὸ ἔγγραφο τῆς προσχωρήσεως θὰ κατατίθεται εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας.

Ἡ Σύμβασις θὰ ἀρχίξῃ ἰσχύουσα ἔναντι τοῦ προσχωροῦντος εἰς αὐτὴν Κράτους τὴν δεκάτην ἕκτην ἡμέραν ἀπὸ τῆς καταθέσεως τοῦ οἰκείου αὐτοῦ ἐγγράφου προσχωρήσεως.

Ἡ προσχώρησις θὰ ἔχῃ ἰσχὺν μόνον ὅσον ἀφορᾷ εἰς τὰς σχέσεις μεταξὺ τοῦ προσχωροῦντος Κράτους καὶ ὅσων Συμβαλλομένων Κρατῶν ἔχουν δηλώσει τὴν ἀποδοχὴν των ὡς πρὸς τὴν προσχώρησιν. Ἡ τοιαύτη δήλωσις θὰ κατατίθεται εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας· τὸ Ὑπουργεῖον τοῦτο θὰ ἀποστείλῃ, μέσῳ τῆς διπλωματικῆς ὁδοῦ, κεκυρωμένον ἀντίγραφον εἰς ἕν ἕκαστον τῶν Συμβαλλομένων Κρατῶν.

Ἡ Σύμβασις θὰ ἀρχίξῃ ἰσχύουσα ὅσον ἀφορᾷ εἰς τὰς σχέσεις μεταξὺ τοῦ προσχωροῦντος Κράτους καὶ τοῦ Κράτους τὸ ὁποῖον ἔχει δηλώσει τὴν ἀποδοχὴν του ὡς πρὸς τὴν προσχώρησιν τὴν δεκάτην ἕκτην ἡμέραν ἀπὸ τῆς καταθέσεως τῆς δηλώσεως περὶ ἀποδοχῆς.

#### Ἄρθρον 29

Πᾶν Κράτος δύναται, κατὰ τὸν χρόνον τῆς ὑπογραφῆς, ἐπικυρώσεως ἢ προσχωρήσεως, νὰ δηλώσῃ ὅτι ἡ παροῦσα Σύμβασις θὰ ἐπεκταθῇ εἰς ὅλας τὰς ἐδαφικὰς ἐπικρατείας διὰ τὰς διεθνεῖς σχέσεις τῶν ὁποίων εἶναι ὑπεύθυνον, ἢ εἰς μίαν ἢ πλείονας ἐξ αὐτῶν. Ἡ δήλωσις αὕτη θὰ λαμβάνῃ ἰσχὺν κατὰ τὴν ἡμερομηνίαν ἐνάρξεως ἰσχύος τῆς Συμβάσεως ἔναντι τοῦ ἐνδιαφερομένου Κράτους.

Καθ' οἷονδήποτε μεταγενέστερον χρόνον, αἱ τοιαῦται δηλώσεις θὰ γνωστοποιῶνται εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας.

Ἡ ἐπέκτασις θὰ ἔχῃ ἰσχὺν μόνον ὅσον ἀφορᾷ εἰς τὰς σχέσεις μετὰ τῶν Συμβαλλομένων ἐκείνων Κρατῶν τὰ ὁποῖα θὰ δηλώσουν τὴν ἀποδοχὴν των ὡς πρὸς τὰς ἐπεκτάσεις. Ἡ τοιαύτη δήλωσις θὰ κατατίθεται εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας· τὸ Ὑπουργεῖον τοῦτο θὰ ἀποστείλῃ, μέσῳ τῆς διπλωματικῆς ὁδοῦ, κεκυρωμένον ἀντίγραφον εἰς ἕν ἕκαστον τῶν Συμβαλλομένων Κρατῶν.

Ἡ ἐπέκτασις θὰ λαμβάνῃ ἰσχὺν εἰς ἕκαστην περίπτωσιν ἐξήκοντα ἡμέρας ἀπὸ τῆς καταθέσεως τῆς δηλώσεως περὶ ἀποδοχῆς.

#### Ἄρθρον 30

Ἡ παροῦσα Σύμβασις θὰ παραμείνῃ ἐν ἰσχύϊ ἐπὶ πέντε ἔτη ἀπὸ τῆς ἐνάρξεως ἰσχύος αὐτῆς συμφώνως πρὸς τὴν πρώτην παράγραφον τοῦ Ἄρθρου 27, ἔτι καὶ διὰ τὰ Κράτη τὰ ὁποῖα ἔχουν ἐπικυρώσει ταύτην ἢ ἔχουν προσχωρήσει εἰς αὐτὴν μεταγενεστέρως.

Μὴ ὑπαρχούσης οἰαοδήποτε καταγγελίας, αὕτη θὰ ἀνανεοῦται σιωπηρῶς ἕκαστην πενταετίαν.

Πᾶσα καταγγελία θὰ γνωστοποιῆται εἰς τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας, τοῦλάχιστον ἕξ μῆνας πρὸ τῆς λήξεως τῆς πενταετοῦς περιόδου.

Αὕτη δύναται νὰ περιορισθῇ εἰς ὠρισμένας ἐκ τῶν ἐδαφικῶν ἐπικρατειῶν εἰς τὰς ὁποίας ἐφαρμόζεται ἡ Σύμβασις.

Ἡ καταγγελία θὰ ἔχῃ ἰσχὺν μόνον ἔναντι τοῦ Κράτους τὸ ὁποῖον ἔχει γνωστοποιήσει ταύτην. Ἡ Σύμβασις θὰ παραμείνῃ ἐν ἰσχύϊ ἔναντι τῶν λοιπῶν Συμβαλλομένων Κρατῶν.

## "Άρθρον 31

Τὸ Ὑπουργεῖον Ἐξωτερικῶν τῆς Ὀλλανδίας θὰ κοινοποιῇ εἰς τὰ ἐν ἄρθρῳ 26 ἀναφερόμενα Κράτη, ὡς καὶ εἰς τὰ Κράτη τὰ ὁποῖα ἔχουν προσχωρήσει συμφώνως πρὸς τὸ ἄρθρον 28, τὰ ἀκόλουθα—

- (α) τὰς ὑπογραφὰς καὶ προσχωρήσεις αἱ ὁποῖαι ἀναφέρονται εἰς τὸ ἄρθρον 26·
- (β) τὴν ἡμερομηνίαν ἐνάρξεως ἰσχύος τῆς παρούσης Συμβάσεως συμφώνως πρὸς τὴν πρώτην παράγραφον τοῦ ἄρθρου 27·
- (γ) τὰς προσχωρήσεις αἱ ὁποῖαι ἀναφέρονται εἰς τὸ ἄρθρον 28 καὶ τὰς ἡμερομηνίας κατὰ τὰς ὁποίας αὗται λαμβάνουν ἰσχύν·
- (δ) τὰς ἐπεκτάσεις αἱ ὁποῖαι ἀναφέρονται εἰς τὸ ἄρθρον 29 καὶ τὰς ἡμερομηνίας κατὰ τὰς ὁποίας αὗται λαμβάνουν ἰσχύν·
- (ε) τὰς καταγγελίας αἱ ὁποῖαι ἀναφέρονται εἰς τὸ ἄρθρον 30·
- (στ) τὰς ἐπιφυλάξεις αἱ ὁποῖαι ἀναφέρονται εἰς τὰ ἄρθρα 19, 20, 21, 24 καὶ 25·
- (ζ) τὰς δηλώσεις αἱ ὁποῖαι ἀναφέρονται εἰς τὰ ἄρθρα 22, 23, 28 καὶ 29.

Εἰς μαρτυρίαν τῶν ἀνωτέρω οἱ ὑπογεγραμμένοι, δεόντως πρὸς τοῦτο ἐξουσιοδοτηθέντες, ἔχουν ὑπογράψει τὴν παρούσαν Σύμβασιν.

Ἐγένετο ἐν Χάγῃ τὴν 1ην Ἰουνίου 1970 εἰς τὴν Ἀγγλικὴν καὶ Γαλλικὴν γλῶσσαν, ἀμφοτέρων τῶν κειμένων τούτων ὄντων ἐξ ἴσου αὐθεντικῶν, εἰς ἀπλοῦν ἀντίγραφον τὸ ὁποῖον θὰ κατατεθῇ εἰς τὰ ἀρχεῖα τῆς Κυβερνήσεως τῆς Ὀλλανδίας, καὶ τοῦ ὁποῖου κεκυρωμένον ἀντίγραφον θὰ ἀποσταλῇ, μέσῳ τῆς διπλωματικῆς ὁδοῦ, εἰς ἐν ἕκαστον τῶν Κρατῶν τὰ ὁποῖα ἀντεπροσωπεύθησαν κατὰ τὴν ἐνδεκάτην Σύνοδον τῆς Διασκεψέως τῆς Χάγης ἐπὶ τοῦ Ἰδιωτικοῦ Διεθνoῦς Δικαίου.

Ἐπιφύλαξις τῆς Κυπριακῆς Δημοκρατίας:

Ἡ Κυπριακὴ Δημοκρατία, δυνάμει τῆς παραγράφου (1) τοῦ ἄρθρου 19 τῆς Συμβάσεως, ἐπιφυλάσσει τὸ δικαίωμα νὰ ἀρνηθῇ τὴν ἀναγνώρισιν διαζυγίου ἢ νομίμου χωρισμοῦ μεταξὺ συζύγων οἱ ὁποῖοι, κατὰ τὸν χρόνον τοῦ διαζυγίου ἢ τοῦ νομίμου χωρισμοῦ, ἦσαν ἀμφότεροι καὶ ἀποκλειστικῶς πολῖται τῆς Δημοκρατίας καὶ ἐφηρμόσθη δίκαιον ἄλλο ἀπὸ ἐκεῖνο τὸ ὁποῖον ἐνδείκνυται ὑπὸ τῶν κανόνων τοῦ ἰδιωτικοῦ διεθνoῦς δικαίου τοῦ ἰσχύοντος ἐν Κύπρῳ, ἐκτὸς ἐὰν τὸ ἀποτέλεσμα τὸ ὁποῖον ἐπετεύχθη εἶναι τὸ αὐτὸ μὲ ἐκεῖνο τὸ ὁποῖον θὰ ἐπῆρχετο διὰ τῆς ἐφαρμογῆς τοῦ δικαίου τὸ ὁποῖον ἐνδείκνυται ὑπὸ τῶν τοιούτων κανόνων.