

**Additional Protocol to the Provisional Arrangement and to the Convention
(signed at Geneva on July 4th, and February 10th, 1938), respectively,
concerning the Status of Refugees coming from Germany**

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His Majesty the King of Denmark and Iceland

Whereas the question has arisen whether, after the union of the territory of the former Federal Republic of Austria with the Germany Reich, the provisions of the Provisional Arrangement signed at Geneva on the 4th July, 1936 (hereinafter referred to as the "Agreement"), and of the Convention signed at Geneva on the 10th February, 1938 (hereinafter referred to as the "Convention"), both relating to the status of refugee coming from Germany, apply to refugee coming from the territory of the former Austrian Republic; and

Whereas it is desired to settle this question;

Have accordingly appointed as their plenipotentiaries:

His Majesty the King of Denmark and Iceland:

M. William BORBERG, Permanent Delegate to the League of Nations, Envoy Extraordinary and Minister Plenipotentiary

Who, having exhibited their full powers, found in good and due form, have agreed as follows:

Article 1

1. The expression refugees "coming from Germany" in Article 1 of the Agreement and in Article 1 of the Convention covers (a) persons, having possessed Austrian nationality and not possessing any nationality other than German nationality, who are proved not to enjoy, in law or in fact, the protection of the Germany Government, and (b) stateless persons, not covered by any previous convention or Arrangement and having left the territory which formerly constituted Austria after being established therein, who are proved not to enjoy, in law or in fact, the protection of the Germany Government.

2. Persons who leave the territories which formerly constituted Austria for reasons of purely personal convenience are not included in this definition.

Article 2

1. The present Protocol shall not require ratification.

2. It shall remain open for signature on behalf of any Party to the Agreement or Convention until Party 12th, 1940.

3. After March 12th, 1940, it shall be open to accession on behalf of any Party to the Agreement or Convention.

Article 3

1. The provisions of Article 1 of this Protocol shall apply as an interpretation of the Agreement for each Party to that Agreement as from the moment that Party signs or accedes to the present Protocol.

2. The provisions of Article 1 of this Protocol shall apply as an interpretation of the Convention for each Party to the Convention as soon as the Convention is in force as regard that Party and that Party has signed or accede to the present Protocol.

IN FAITH WHEREOF the above-mentioned Plenipotentiaries have signed the present Protocol.

DONE at Geneva, this fourteenth day of September, nineteen hundred and thirty-nine, in French and English, both tests being equally authentic, in a single copy which shall remain deposited in the archives

of the Secretariat of the League of Nations and certified copies of which shall be transmitted to the Governments of all countries on whose behalf either the Agreement or the Convention has been signed or accessions thereto deposited.

DENMARK

William BORBERG

14th September 1939

Certified true copy.

Geneva,

For the Secretary-General:

APPENDIX 11

Additional Protocol to the Provisional Arrangement and to the Convention (signed at Geneva on July 4th, and February 10th, 1938, respectively), concerning the Status of Refugees coming from Germany

Definitive signatures:		Date of signature:
Great Britain and Northern Ireland		29.11.1939
	Application to the following British Overseas Territories:	
	Aden Colony	
	Bahamas, Basutoland, Bechuanaland (Protectorate), British Guiana, British Honduras, British Solomon Islands (Protectorate)	
	Ceylon, Cyprus	
	Falkland Islands and Dependencies, Fiji	
	Gambia (Colony and Protectorate), Gilbert and Ellice Islands (Colony), Gold Coast (a) Colony, (b) Northern Territories, (c) Ashanti, (d) Togoland Under British Mandate)	
	Hong-Kong	
	Kenya (Colony and Protectorate)	
	Leeward Islands (Antigua, Montserrat, St. Christopher and Nevis, Virgin Islands)	
	Malay States (a) Federated Malay States: Negri Sembilan, Pahang, Perak, Selangor; (b) Unfederated Malay States: Johore, Kedah, Kelantan, Perlis, Trenggany and Brunei), Mauritius	
	Nigeria (a) Colony, (b) Protectorate, (c) Cameroons under British Mandate,	
	Nyasaland (Protectorate)	
	St. Helena and ascension, Sierra Leone (Colony and Protectorate), Somaliand (Protectorate), Straits	

	Settlements, Swaziland	
	Trinidad and Tobago	
	Uganda (Protectorate)	
	Windward Islands (Dominica, Grenada, St. Lucia, St. Vincent)	
	Zanzibar (Protectorate)	
Denmark		14.9.1939
France		29.3.1945