INTRODUCTION

Since document E/CN.6/259 was issued the Secretary-General has received communication from the Government of Sweden containing comments on the draft Convention of the Nationality of Married Women. These comments are set forth below:
"...Articles 1 and 2 of the Draft are acceptable to the Swedish Government. As regards article 3, however, its present tenor is hardly in conformity with the Swedish Citizenship Act. An alien woman who is married to a Swedish citizen must, in order to become a Swedish citizen, apply for citizenship through naturalization. The principal conditions for naturalization are according to the Citizenship Act: 1. The alien should have attained the age of eighteen years; 2. have been domiciled in Sweden during the last seven years; 3. be of good character; and 4. be able to support himself and his family.

As regards alien wives, practice allows, however, some important exceptions from these rules. Residence in Sweden for two years is thus usually enough; for women from another Nordic country (Denmark, Finland, Iceland or Norway) even less. The condition of being able to support oneself or one's family is furthermore not applied in these cases.

Even if the above-mentioned conditions are fulfilled, there exists, however, no absolute right for any alien to become a Swedish citizen. The King in Council, who is the deciding authority in questions of naturalization, exercises discretionary powers as well. There are therefore restrictions in the right of an alien wife to become a Swedish citizen which are not, in the strict sense of the expression, "imposed by law". On the other hand, article 4 of the Draft Convention could be interpreted as to allow a state which has in law or practice given alien wives certain facilities as regards conditions for naturalization, to accept article 3 of the Convention without changes in its citizenship laws or practice. A clarification of the purports of articles 3 and 4 in these respects is, in the view of the Swedish Government, desirable.

Finally, I wish to suggest that article 3 be included amongst the articles to which a state may make, according to article 8, reservations at the time of signature, ratification or accession. On the other hand, articles 1 and 2 should, in the opinion of the Swedish Government, be exempted from any such reservations."