

N° 2055.

**ALBANIE
ET ROYAUME DES SERBES,
CROATES ET SLOVÈNES**

**Convention concernant l'établisse-
ment et le service consulaire, avec
protocole final. Signés à Belgrade,
le 22 juin 1926.**

**ALBANIA AND
KINGDOM OF THE SERBS,
CROATS AND SLOVENES**

**Convention regarding Establishment
and the Consular Service, with
Final Protocol. Signed at Belgrade,
June 22, 1926.**

¹ TRADUCTION. — TRANSLATION.

No. 2055. — CONVENTION² BETWEEN THE ALBANIAN REPUBLIC AND THE KINGDOM OF THE SERBS, CROATS AND SLOVENES, REGARDING ESTABLISHMENT AND THE CONSULAR SERVICE. SIGNED AT BELGRADE, JUNE 22, 1926.

French official text communicated by the Permanent Delegate of the Kingdom of the Serbs, Croats and Slovenes accredited to the League of Nations. The registration of this Convention took place June 11, 1929.

THE KINGDOM OF THE SERBS, CROATS AND SLOVENES and THE ALBANIAN REPUBLIC, being desirous of regulating the establishment of nationals of the two States and the admission to their respective territories of consular officials, and of determining the reciprocal rights, privileges and immunities of consuls-general, consuls, vice-consuls and consular agents and defining their powers, have decided to conclude a Convention concerning establishment and the consular service, and have appointed as their Plenipotentiaries for this purpose :

HIS MAJESTY THE KING OF THE SERBS, CROATS AND SLOVENES :

His Excellency Dr. Momtchilo NINTCHITCH, Minister for Foreign Affairs ;

THE PRESIDENT OF THE ALBANIAN REPUBLIC :

His Excellency M. Milto TOUTOULANI, former Minister of Justice ; and
M. Djafer VILLA, Secretary-General at the Ministry of Foreign Affairs ;

Who, having communicated their full powers, found in good and due form, have agreed on the following Articles :

Article 1.

There shall exist between the Kingdom of the Serbs, Croats and Slovenes and the Albanian Republic reciprocal freedom of establishment and of trade.

The nationals of each of the Contracting Parties shall be received and treated in the territory of the other Party, in so far as regards their persons and property, on the same footing and in the same manner as nationals of that Party are or may hereafter be treated.

The nationals of each of the two Contracting Parties, and their families, may accordingly, provided that they observe the laws of the country, freely enter, travel, reside and establish themselves in the territory of the other Party, and as regards residence permits and authorisation to carry on their occupation, shall be subject to no duty, charge or conditions other than those imposed upon nationals. They may engage in trade, both wholesale and retail, and carry on any profession or industry, provided that they comply strictly with the laws and regulations of the country.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Belgrade, May 17, 1929.

Freedom to carry on trade, industry or any profession shall in general be guaranteed to the nationals of one Contracting Party in the territory of the other, it being understood that in this respect no difference may be made by either State between the nationals of the other State and its own nationals by reason of their nationality, in so far as possession of the nationality of the State is not, according to the laws of the country concerned, an indispensable condition for the exercise of the profession in question.

As regards passports, the nationals of each of the Contracting Parties shall enjoy, in the territories of the other, the same privileges, immunities, favours or conditions as are or may in future be enjoyed by nationals of the most favoured nation.

Finally, they shall not, by reason of their trade or industry, pay in the towns or places of the two States, whether they are established or are temporarily resident therein, any duties, charges or taxes of any kind whatsoever other or higher than those which may be levied on nationals of the country and subjects of the most favoured nation ; and the privileges, immunities or other favours which are or may in future be enjoyed by the citizens of one of the two States in respect of trade and industry shall be extended to the citizens of the other.

Article 2.

The nationals of each of the Contracting Parties shall, in the territory of the other Party, have the same right as nationals of the country or subjects of the most favoured nation to acquire movable and immovable property. They shall have power to alienate or transfer such property by sale, exchange, gift, marriage settlement, bequest, or in any other way, like nationals of the country or the subjects of the most favoured nation.

This right shall, however, be subject to any exceptions and restrictions regarding aliens in general which are at present applied or may in future be applied under the laws of the Contracting States to the acquisition of immovable property. Such exceptions and restrictions shall not apply to immovable property acquired *ab intestato*, or acquired by will by persons who may later inherit by succession *ab intestato*.

They shall not be subject in the afore-mentioned cases to any duties, taxes or charges, imposed under any name whatsoever or for the benefit of any authorities whatsoever, other or higher than those to which nationals of the country or the subjects of the most favoured nation are liable.

Similarly, they shall be free to export their personal or other property without being subject to any restrictions or charges other or higher than those to which nationals of the country or the subjects of the most favoured nation are liable.

Article 3.

In the event of expropriation or requisition in one of the two States, the nationals of one Contracting Party shall not be treated in this respect in the territory of the other Party less favourably than nationals of the country or the subjects of any third Power.

Article 4.

Nationals of either Contracting Party shall be exempt in the territory of the other Party from any military service in the regular forces or in the national militia, whether on land, at sea or in the air. They shall also be exempt from any compulsory, judicial, administrative or municipal functions, from any requisition or military contribution, and from any forced loans and other charges which may be imposed to meet war requirements or as a result of other exceptional circumstances.

This provision shall not however apply to charges connected with the possession or leasing of immovable property, or to military contributions and requisitions which may be imposed on nationals of the country in their capacity as owners, tenants or lessees of immovable property.

Article 5.

Each of the two Contracting Parties shall be entitled to establish consular offices in the ports, towns and other places in the territory of the other Party, subject to the previous approval of the State where these offices are to be established, and to appoint consuls-general, consuls, vice-consuls or consular agents thereto. These consular officials may be career or honorary officials and, where they are not career officials, they may be chosen from among nationals of the two Parties or foreigners.

The Contracting Parties reserve the right to determine the places where it is not convenient for them to admit consular officials, it being understood that in this respect they will not impose on each other any restrictions which are not applicable to all other States.

The said officials shall present their official papers and shall be reciprocally admitted and recognised for the district fixed by the State which they represent in accordance with the rules and formalities established in the country in which they are appointed to reside.

Any changes made later with regard to the area of these districts shall be communicated to the Ministry of Foreign Affairs of the country in which the said officials exercise their functions.

In order freely to exercise their functions, heads of consular office, including consular agents, shall be required to procure an exequatur, which shall be issued free of charge. On the production of this exequatur, the competent authorities in the country of their residence shall immediately take all necessary steps to enable them to carry out the duties appertaining to their office and to ensure that they shall enjoy the exemptions, prerogatives, immunities, honours and privileges attached thereto.

Consuls-general and consuls may, with the authority of their Government, appoint vice-consuls or consular agents in the ports, towns and other places in their consular districts, subject to the previous approval of the Government of the country in which they reside. These vice-consuls and consular agents shall be provided with a certificate issued by the authority which appointed them and under whose orders they are placed.

If either Contracting Party deems it necessary to withdraw an exequatur after granting it, that Party shall be required to inform the other Contracting Party of its reasons for so doing.

Heads and all officials of the consular office, where they are not nationals of the country of their residence, shall be provided with a special identity card containing the photograph and signature of the holder, indicating their official standing and containing a request for their protection addressed to the local authorities.

In the exercise of their functions and the performance of their official duties, as also with regard to the most convenient arrangements for the offices and places of residence of the head and his staff, consular officials shall be accorded the fullest assistance and the most generous support on the part of the authorities of the country in which they are resident.

Article 6.

In the absence or on the death of consuls-generals, consuls, vice-consuls or consular agents, or should they be unable for any reason to exercise their functions, the assistant consular officials shall be entitled, within the limits of the regulations issued by their own Government, to perform the duties of the head of the consular office *ad interim*.

The local authorities shall, when duly advised, afford them assistance and protection and shall accord them, during their temporary conduct of business, the benefit of the exemptions, prerogatives, immunities, honours and privileges conferred by the present Convention upon the heads whom they are replacing.

Article 7.

Heads of consular offices, including consular agents, may display on buildings in which their offices are established the coat-of-arms of the State which appointed them, with the appropriate inscription.

They may fly the flag of the State which appointed them on the consular building on days of public ceremonies and on other customary occasions.

They may also fly the flag of the State which appointed them on the vessels in which they travel in the performance of their duties.

It is understood that these external signs shall never be interpreted as constituting a right of asylum. They shall mainly serve to indicate the consular office to nationals of the country represented.

Article 8.

Albanian consular officials in the Kingdom of the Serbs, Croats and Slovenes and consular officials of that Kingdom in the Albanian Republic shall enjoy all the exemptions, prerogatives, immunities, honours and privileges which are or which may in future be enjoyed by consular officials of the same rank belonging to the most favoured nation.

It is, however, agreed that neither of the Contracting Parties may avail itself of the most-favoured-nation clause to support a claim whereby its consular officials would be granted more extensive exemptions, prerogatives, immunities, honours and privileges than those which it itself grants to the consular officials of the other Contracting Party.

Career heads of consular offices, all career officials attached to their offices, and personnel exclusively employed in the offices or with the families of consular officials, provided they are not nationals of the State in which they reside, shall be exempted from personal military charges.

The heads of consular offices, and career officials attached thereto holding the rank of drafting clerks, shall also, provided they are not nationals of the State in which they reside, be exempted from material military charges.

Article 9.

Heads of consular offices and other consular officials, including honorary officials, shall not, as regards the exercise of their functions, be subject to the jurisdiction of the State in which they reside.

Should a consular official carry on trade or industry, he shall be required, as regards his trade or industry, to comply with the laws and customs which nationals of the State to which he belongs are required to observe in the same place in respect of their commerce or industry.

Article 10.

Consuls, vice-consuls and all career consular officials, being nationals of the State which appointed them, may not be arrested or kept in custody awaiting trial except for offences which, under the local laws of any part of the country in which they reside, are punishable with imprisonment for a period exceeding one year or with a more severe penalty.

Should preliminary criminal proceedings be instituted or any other measure be adopted against the head of a consular office who is a national of the State which appointed him, or against another career consular official, the Government of the State in whose territory the proceedings are instituted or the measure is adopted shall immediately inform the diplomatic representative of the State to which the said consular official belongs.

Article 11.

Consular officials shall be required to accede to requests to appear as witnesses which may be addressed to them by the judicial authorities. In the case of a career consular official, the judicial authority shall ask him in writing whether he wishes to be heard at his consular office,

or is prepared to appear in person at the court or office of the judicial authority. The official in question shall answer in writing without delay. If the examination is to take place at the consular office, it shall in any case be arranged in such a way as to make it possible for the deposition in question to be made within the period, if any, fixed by the judicial authority.

The examination shall be held in the form laid down in the local laws, and the official report shall be drawn up in accordance with that form.

Consular officials may refuse to make a deposition before the courts on the ground of professional secrecy. This also applies to employees of the consular office, provided they are nationals of the State represented by the office in question.

If the court does not admit the plea of professional secrecy, it shall inform its Governments, which shall approach the diplomatic representative of the State to which the consular official belongs with a view to settling the dispute through the diplomatic channel. The court may not employ any measure of compulsion.

The provisions of the previous paragraph shall also apply to proceedings before the administrative authorities.

Article 12.

The consular archives shall at all times be inviolable, and the local authorities may not, under any pretext, examine or seize the books, documents or other articles forming part thereof.

Official books, documents and articles shall always be kept separate from private correspondence and from books and papers relating to the trade or industry in which consular officials who are not career officials may be engaged.

Official books, papers and articles may not be handed over under any circumstances.

Official correspondence shall be inviolable and shall not be censored. The same applies to telegrams, wireless messages, phonograms and telephonic communications.

Career heads of consular offices who are nationals of the State which appointed them shall have the right to receive and despatch telegrams in cipher when communicating with the authorities of their Government, including their diplomatic missions.

Article 13.

The question of exemption from taxes and charges shall be regulated by special agreements.

The following may be imported without permission, free of Customs dues or any other charges imposed by the respective States on the importation of movable property :

(a) Household effects of consular officials proceeding to the territory of the State in which they are to reside ;

(b) Office furniture and supplies required for the first installation ;

(c) Articles for use in the consular office, in particular shields with the arms of the State, flags, insignia, stamps and official printed matter for the current work of the office.

Article 14.

Consular officials shall be entitled to protect the nationals of the State which has appointed them and to defend, in accordance with international law and usage and within the limits of their powers, all their rights and interests, and to further the development of the economic relations between the two States. It shall be their duty to protect widows, minors and persons incapable of defending their own interests, who are nationals of the State which appointed them.

It shall also be their duty to protect nationals of the State which appointed them when such nationals are passing through the territory of their residence as emigrants or as persons returning to their country, and to afford them protection on their journey, especially in places where there are ports.

With this object, and in order as far as possible to avoid recourse to the diplomatic channel, they may approach all Government authorities in their consular district for the purpose of submitting to them any complaints made by nationals of the State which appointed them and of asking for the necessary action to be taken to deal with these complaints, in accordance with the provisions of the treaties and conventions existing between the Contracting Parties.

Article 15.

Consular officials may accept payment of contributions, annuities or allowances made to the persons duly entitled in accordance with the laws of the State to which they belong and, in particular, the laws on social insurance.

Article 16.

Consular officials shall issue and visa passports and other official documents in accordance with the regulations of the State which appointed them.

Article 17.

Consular officials of the two Contracting Parties, in so far as they are authorised to do so by the laws of the State which appointed them, shall be entitled :

(a) To receive in their offices, at the residences of the parties, and on board vessels flying the flag of the State which appointed them, all statements which nationals of the country to which the consular officials belong may desire to make ;

(b) To draw up, legalise or take custody of the testamentary dispositions of nationals of the State which appointed them, and any other instrument at private law affecting those nationals ;

(c) To draw up, legalise or take custody of contracts and written arrangements concluded between nationals of the State to which the said officials belong, or between such nationals and nationals of the country in which they reside, or between nationals of the latter country only, provided that these instruments relate to immovable property situated in the territory of the State which appointed the said officials, or are intended to produce legal effects in that territory. The statements and attestations contained in the above-mentioned instruments, and copies thereof, provided that the said instruments have been drawn up in the manner prescribed by the laws of the State which appointed the consular officials and comply with the formalities required in the country in which the instrument is to be enforced, shall, after being duly legalised by the consular official and sealed with the seal of the consular office, have the same force and the same authority as if the instruments had been drawn up before other competent legal officers or a notary of the other Contracting Party. Should any doubt arise as to the authenticity or accuracy of the copy of a document filed in the chancellery of a consular office, the person concerned shall, if he so desire, be allowed to have it compared with the original and he may be present when this is done ;

(d) To translate and legalise every kind of instrument and document emanating from the authorities or officials of the State which appointed the consular officers or of the country in which they reside. Translations of instruments and documents emanating from the authorities of either State shall have the same force and validity in the other State as if they had been drawn up by public officials or sworn interpreters of that State.

Article 18.

Consuls and consular agents of either Contracting Parties shall be entitled, in so far as they are authorised to do so by the laws and regulations of their respective countries, to make out birth and death certificates of nationals of the State which appointed them.

It is understood that the present stipulation does not in any way affect the obligation imposed by the laws of the country concerned to notify births and deaths to the local authorities.

Article 19.

The Contracting Parties undertake, if requested to do so by the Government of either Party, to hand over to each other duly legalised copies of birth, marriage and death certificates, of documents acknowledging or legitimising children born out of wedlock, and of acts of adoption concerning the nationals of the other contracting Party, and to proceed to the publication of marriages.

The making out of the said copies shall not give rise to any costs additional to or greater than those to which the nationals of the country or subjects of the most favoured nation are liable. The said copies shall be communicated through the diplomatic channel or through the intermediary of the consulates and consular agencies.

Article 20.

Consular officials shall be entitled to carry out all proceedings relating to military service, and to keep the military muster-rolls and carry out the health inspection of conscripts who are nationals of the State which they represent.

Article 21.

Should a national of either Contracting Party die in the territory of the other, the local authorities shall at once notify the consul-general, consul, vice-consul or consular agent nearest to the place where the death occurred. Similarly, if the latter are the first to be informed of the death, they shall notify local authorities.

Consuls-general, consuls, vice-consuls or consular agents (the last mentioned only when they are of the same nationality as the deceased person) shall be empowered to accomplish successively the following acts :

(1) Affix seals, either on their own initiative or at the request of the parties concerned, on all the effects, movable property and papers of the deceased ; they shall inform the competent local authorities of their action. These authorities may, if the laws of the country so require, be present and affix their seals also.

Nevertheless, if the local authorities have been the first to be informed of the death and if, in accordance with the laws of the country, they are required to affix seals to the estate of the deceased, they shall call upon the consular authority to carry out this proceeding with them.

If it should appear necessary to affix seals immediately, and if this cannot be done jointly owing to distance or for any other reason, the local authorities may proceed to affix the seals in the absence of the consular authority, and *vice versa*, provided the authority who was not present is informed thereof. The latter shall be empowered to cross its seal later on the other seal.

Neither the seals of the local authority nor those of the consular authority may be removed without the co-operation of the consular authority.

If, however, the consular authority has sent a notification to the local authorities, or *vice versa*, inviting them to be present at the removal of the double seals, and if the latter have not appeared within forty-eight hours from the time of the receipt of the notification, the other authority may remove the seals alone.

(2) Draw up the inventory of all the movable property and effects of the deceased in the presence of the local authorities if, as a result of the notification mentioned above, they have thought it desirable to be present when this is done.

The local authorities shall append their signatures to the records of proceedings drawn up in their presence, but they may not require payment of any charge whatsoever in respect of their official action.

(3) Order the sale by public auction of all the movable property forming part of the estate which is liable to deterioration or which it may be difficult to preserve.

The consular authority shall advise the local authorities, in order that the sale may be effected in the form prescribed and by the competent authority, in accordance with the laws of the country.

Should it be the local authority which has to effect the sale, it shall invite the consular authority to be present.

(4) Deposit in a safe place the effects and securities included in the inventory, and to retain any sums paid in settlement of debts and the amount of any income collected. Such deposit shall be made in agreement with the local authorities who were present at the former transactions if, as a result of the announcement referred to above, nationals of the country or of a third Power come forward as being interested in the succession *ab intestato* or the testamentary succession, and in so far as it is necessary to guarantee the succession duties or the duties on the transfer of property to be paid under the laws of the country.

(5) If the local authorities have, in accordance with the laws of the country, fixed a period within which nationals of the country and nationals of a third Power residing in the country where the death occurred may submit their claims against the estate, the consular authority shall, so long as this period has not elapsed, and even after the expiry of this period for such time as any dispute which has to be settled by the courts is still pending, limit its action to taking precautionary and administrative measures; these measures may not, however, prejudice the legal establishment of the rights of the aforementioned persons in the competent court.

Should the value of the estate be inadequate to cover all outstanding debts, the consular authorities shall, in accordance with the laws of the country, immediately hand over to the judicial authority or to the assignees in bankruptcy, as the case may be, all documents, effects and securities belonging to the estate, the said consular authorities still being bound to represent absent heirs, minors or incapable persons.

(6) Administer or liquidate, either themselves or through a person appointed by them on their responsibility, the movables forming part of the estate. The local authorities may not intervene in these operations. Nevertheless, the restrictions mentioned in No. 5 of this article shall apply to the cases enumerated therein, and consular officials shall observe the rule that they must not give a decision on any claim whatsoever put forward by the parties concerned and that they must leave the decision to the competent court; this court shall be that of the country in all cases where the claim in question does not rest on inheritance or legacy.

When judgment has been given on the above-mentioned claims reserved for the decision of the courts of the country, or after the sum required to satisfy these claims has been fixed or suitable security deposited, the whole of the personal estate belonging to the succession, in so far as it is not assigned as security, shall, after the seals affixed

by the local authority have been removed, be handed over to the consular authority for future disposal.

Article 22.

Should an Albanian national in the Kingdom of the Serbs, Croats and Slovenes or a Serb-Croat-Slovene national in Albania die in a place in which there is no consular authority of his nationality, the competent local authorities shall proceed, in conformity with the law of the country, to draw up an inventory of the estate and to liquidate the property left by the deceased; they shall, as soon as possible, intimate the results of these operations to the legation concerned or to the consulate or vice-consulate nearest to the place in which the succession *ab intestato* or the testamentary succession is opened.

As soon, however, as the consular official nearest to the place in which the said succession is opened appears in person or is represented there, the intervention of the local authorities shall be governed by the provisions of Article 12 of the present Convention.

Article 23.

When a national of either Contracting Party is concerned in a succession opened in the territory of the other Party and relating to an estate left by one of its nationals, or by a native of the country, or by a national of a third Power, the local authorities shall notify the nearest consular authority of the opening of the succession.

Article 24.

Valuables and effects belonging to sailors or passengers, nationals of either Contracting Party, who have died on board a vessel of the other Party, shall be sent, at the port of arrival, to the consul of the nation concerned to be handed over to the authorities of the country to which the deceased belonged.

Article 25.

In all matters connected with harbour regulations, the loading and unloading of merchant vessels and the safety of goods, property and effects, the laws, ordinances and rules of the country shall be observed, subject to the express condition that any privilege or advantage which may be granted in a given port by either Contracting Party to its own merchant ships or to the merchant ships of a third Power shall also be granted in that port to the ships of the other Party.

Within the limits laid down in the laws of the State which appointed them, consuls and consular agents shall alone be responsible for the maintenance of internal order on board merchant ships of their nation; they shall themselves decide, in conformity with the laws of the State which appointed them, disputes of all kinds which may arise between the masters, officers and seamen of such ships, especially those relating to pay and the execution of contracts entered into between them.

The local authorities shall only be entitled to intervene when the disturbances occurring on board ship are of a nature to endanger public tranquillity on land or in the harbour, or when a person not belonging to the crew is involved. Even in this case, the local authorities shall notify the competent consul or consular agent, if possible before taking action.

In all other cases the said authorities shall confine themselves to giving their assistance to consuls and consular agents when the latter so request, and to helping them in the discharge of their duties, particularly in arresting and conveying on board a merchant ship any person entered

as a member of the crew, or, provided that such person is not a national of the country, in sending him to prison whenever the said consuls or consular agents for any reason deem this necessary.

Article 26.

Consuls and consular agents may cause to be arrested and to be sent back to their ships or to their country, officers, seamen or any other persons belonging, in whatever capacity, to the crew of merchant ships of their nation who have deserted in the territory of either Contracting Party.

For this purpose they must apply in writing to the competent local authorities and prove by producing the registers of the vessel or the muster-roll of the crew, or, in the absence of these documents, a certified copy thereof, that the persons claimed really belonged to the crew. In places where there is no consul or consular agent, a demand for extradition may be made to the local authorities by the master or the person in command of the vessel, who shall observe the formalities laid down in the present paragraph.

On the receipt of such duly authenticated demand, the handing-over of deserters may not be refused unless it is proved that the person claimed is a national of the country or that the deserter has committed some crime or offence on land; in the latter case the local authority may postpone handing over the offender until the court has given judgment and until the sentence has been fully carried out. The said consular officials shall, moreover, be given every help and assistance in searching for and arresting such deserters, who shall be sent into the prisons of the country and detained there on the written request and at the expense of the consulate or consular agency until they are transferred to a vessel of their country or until an opportunity occurs to repatriate them. If, however, such opportunity should not occur within two months from the date of arrest, the said deserters shall, after notification has been given to the consul or consular agent three days in advance, be released, and may not be re-arrested for the same reason.

The two Contracting Parties agree that the officers and seamen or other members of the crew, who are nationals of the country in which they have deserted, shall not be subject to the provisions of the present Article.

Article 27.

Consuls and consular agents of each of the two Contracting Parties shall be entitled to render all help and assistance to merchant ships of their nation which call at the ports of their consular area.

To this end they may proceed personally or send representatives on board merchant ships of their nation after these ships have received pratique. In the case of merchant ships in particular, they may question the captains and crews, examine the ship's papers, receive in conformity with Article 17 of the present Convention declarations regarding their voyage, their destination and incidents occurring *en route*, draw up manifests and facilitate the departure of their merchant ships; finally, they may accompany the captains or crews before the courts and administrative offices of the country and act for them as interpreters and agents in any business they may have to transact or any requests which they may have to make.

In ports in which a consul or consular agent of either Contracting Party resides, the judicial and administrative officials and the Customs officers and agents of the country may not, on board merchant ships, make any search or arrest any person or perform any other official act necessitating compulsion, without notifying previously, or in urgent cases at the actual time of the search, the consul or consular agent of the nation to which the vessel belongs, so that he may be present at the examination. They must also give the consul or consular agent sufficient notice to enable him to be present when any declarations are made by captains or crews before the courts or administrative authorities of the country.

The invitation addressed in the above-mentioned cases to consuls or consular agents shall specify the exact hour, and if the consul or consular agent fails to attend in person or to send a representative, the proceedings shall take place, in his absence. The competent local authorities shall nevertheless be obliged to inform the consul or consular agent without delay of any inspection or other official proceeding of the nature referred to in the previous paragraph effected in their absence, and at the same time to state the reasons which necessitated urgent action ; they shall do so even if the consul or consular agent does not reside in the port.

Article 28.

In the absence of stipulations to the contrary between shipowners, freighters or underwriters, questions relating to damage suffered at sea by merchant ships of the two countries, whether they enter the respective ports voluntarily or owing to unavoidable circumstances, shall be settled by the consuls or consular agents of their nation, unless nationals of the country in which the said consuls or consular agents reside or nationals of a third Power are interested in such damage ; in this case, and in the absence of a friendly agreement between all the parties concerned, they shall be settled by the local authorities.

Article 29.

When a vessel flying the flag of either Contracting Party is wrecked or runs aground on the coast or in the territory of the other Party, the local authorities shall notify the consul-general, consul, vice-consul or consular agent of the district, or failing such official, the consul-general, consul, vice-consul or consular agent nearest to the scene of the accident.

All operations connected with the salvage of Serb-Croat-Slovene vessels which have been wrecked or have run aground on the coast or in the territory of the Albanian Republic shall be directed by the consuls-general, consuls, vice-consuls or consular agents of the Kingdom of the Serbs, Croats and Slovenes ; similarly, all operations connected with the salvage of Albanian vessels which have been wrecked or have run aground on the coast or in the territory of the Kingdom of the Serbs, Croats and Slovenes shall be directed by the consuls, vice-consuls and consular agents of Albania.

The local authorities in the two countries shall only intervene to assist the consular officials to keep order, to protect the interests of salvage workers not belonging to the crew and to ensure the enforcement of the regulations with regard to the import and export of goods salvaged, and to safeguard the general interests of navigation.

In the absence and until the arrival of the consular representative or the person delegated by him for this purpose, the local authorities shall take all necessary steps to protect individuals and preserve articles salvaged from the wreck and to assist, as far as possible, in the most necessary and urgent salvage operations.

No duties of any kind shall be leviable in connection with the action of the local authorities in these various cases, except such as are occasioned by salvage operations and the preservation of articles salvaged, and duties to which national vessels are liable in similar circumstances.

In case of doubt as to the nationality of the vessels which have been wrecked or have run aground, the measures referred to in this Article shall be taken by the competent authorities.

The two Contracting Parties agree, moreover, that goods and articles salvaged shall not be subject to any Customs duty unless they are intended for consumption within the country.

Article 30.

The present Convention shall be ratified and the ratifications shall be exchanged at Belgrade as soon as possible.

It shall come into force on the date of the exchange of ratifications and shall remain in force for ten years as from that date.

Should neither of the Contracting Parties, six months before the expiration of this period, notify its intention of terminating the Convention, the Convention shall remain in force for six months as from the date on which one or other of the Contracting Parties shall have denounced it.

In faith whereof the Plenipotentiaries have signed the present Convention and affixed their seals thereto.

Done in duplicate at Belgrade, in French, June the twenty-second, one thousand nine hundred and twenty-six.

(L. S.) (Signed) M. NINTCHITCH.

(L. S.) (Signed) Milto TOUTCULANI.

(L. S.) (Signed) Djafer VILLA.

FINAL PROTOCOL.

On proceeding to sign the Consular Convention concluded on this date between the Kingdom of the Serbs, Croats and Slovenes and the Albanian Republic, the undersigned Plenipotentiaries have made the following declarations, which shall form an integral part of the said Convention:

Ad Article I.

It is nevertheless understood that the provisions of Article 5 shall in no way affect the number of consular offices already established by either of the Contracting Parties in the territory of the other.

Done at Belgrade in duplicate, in French, on June the twenty-second, one thousand nine hundred and twenty-six.

(Signed) M. NINTCHITCH.

(Signed) Milto TOUTOULANI.

(Signed) Djafer VILLA.