

**No. 8364**

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**FINLAND  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Consular Convention (with Protocol). Signed at Moscow,  
on 24 January 1966**

*Official texts: Finnish and Russian.*

*Registered by Finland on 7 November 1966.*

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**FINLANDE  
et  
UNION DES RÉPUBLIQUES SOCIALISTES  
SOVIÉTIQUES**

**Convention consulaire (avec Protocole). Signée à Moscou, le  
24 janvier 1966**

*Textes officiels finnois et russe.*

*Enregistrée par la Finlande le 7 novembre 1966.*

## [TRANSLATION — TRADUCTION]

No. 8364. CONSULAR CONVENTION<sup>1</sup> BETWEEN THE REPUBLIC OF FINLAND AND THE UNION OF SOVIET SOCIALIST REPUBLICS. SIGNED AT MOSCOW, ON 24 JANUARY 1966

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The President of the Republic of Finland and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics,

Endeavouring to strengthen further the friendly relations existing between the two countries and

Desiring to develop consular relations between the Republic of Finland and the Union of Soviet Socialist Republics,

Have decided to conclude a Consular Convention and for that purpose have appointed as their plenipotentiaries :

The President of the Republic of Finland : Veli Helenius, Chief of the Administrative Division of the Finnish Ministry of Foreign Affairs;

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics : Oleg Nikolaevich Khlestov, Chief of the Treaty-Legal Division of the Ministry of Foreign Affairs of the USSR,

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

## PART I

ESTABLISHMENT OF CONSULATES, APPOINTMENT AND ACCEPTANCE OF CONSULS,  
CONSULAR STAFF

*Article 1*

1. Each Contracting Party shall be entitled to establish consulates in the territory of the other Contracting Party in accordance with this Convention.
2. The Contracting Parties shall reach agreement in each individual case with regard to the establishment of the consulate, its classification, its seat and the consular district.

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<sup>1</sup> Came into force on 14 October 1966, thirty days after the exchange of the instruments of ratification which took place at Helsinki, on 15 September 1966, in accordance with article 35 (1).

*Article 2*

Before appointing a consul, the Contracting Party concerned shall obtain, through the diplomatic channel, the consent of the other Contracting Party to such appointment.

*Article 3*

1. The diplomatic mission of the sending State shall present to the Ministry of Foreign Affairs of the receiving country the consular commission setting forth the consul's surname, given name and rank, the consular district for which he will be responsible, and his duty station.

2. The consul may not enter upon his duties until the receiving State has recognized him in that capacity. Such recognition shall be granted in the form of an exequatur issued after the consular commission has been presented.

3. After the consul has been recognized, the authorities of the receiving country shall make the necessary arrangements to enable the consul to perform his duties and to enjoy the rights, privileges and immunities to which he is entitled under this Convention and under the laws of the receiving country.

*Article 4*

1. In the event of the consul's absence, illness or death, the sending State may authorize an employee of its diplomatic mission or a consular officer of the consulate concerned or of another consulate to take temporary charge of the consulate. Such person's name shall be communicated beforehand to the Ministry of Foreign Affairs of the receiving country.

2. A person authorized to take temporary charge of a consulate shall enjoy the rights, privileges and immunities accorded to consuls by this Convention.

*Article 5*

For the purposes of this Convention :

1. The term "consulate" means a consulate-general, consulate or vice-consulate;

2. The term "consul" means a consul-general, consul or vice-consul who is in charge of a consulate;

3. The term "consular officers" means persons, including those in charge of a consulate, who perform consular functions;

4. The term "consular employees" means all other persons employed in the consulate who are not covered by paragraphs 2 and 3 above, including auxiliary personnel.

*Article 6*

Consuls and consular officers shall be nationals of the sending State.

## PART II

## RIGHTS, PRIVILEGES AND IMMUNITIES

*Article 7*

1. Consular officers and those consular employees who are nationals of the sending State shall enjoy immunity from the jurisdiction of the receiving country except in the cases provided for in article 31 of the Vienna Convention on Diplomatic Relations, signed on 18 April 1961.<sup>1</sup>

2. Members of the family of a consular officer or consular employee who reside with him and are nationals of the sending State shall enjoy immunity from the jurisdiction of the receiving country to the same extent as the consular officer or consular employee concerned.

3. The sending State may waive, in respect of the persons referred to in paragraphs 1 and 2, the immunity provided for in this article. Explicit notification of such waivers shall be given in all cases.

*Article 8*

Consuls shall be entitled to affix to consulate buildings shields bearing the coat-of-arms of the sending State and an inscription designating the consulate. They may also fly the flag of the sending State from the said buildings and on the means of conveyance used by them.

*Article 9*

Consular officers and consular employees and members of their families residing with them who are nationals of the sending State shall be exempt from all direct taxes and charges. The aforementioned persons shall also be exempt from taxes and charges on movable property belonging to them.

*Article 10*

Immovable property situated in the territory of the receiving country whose owner or tenant is the sending State or a person acting on its behalf and which is intended for consulate premises or for the living quarters of consular officers

<sup>1</sup> United Nations, *Treaty Series*, Vol. 500, p. 95.

and consular employees and the members of their families shall be exempt from taxes and charges in the receiving country.

The exemption from taxes and charges shall also apply to movable property owned, held or used by the sending State which is employed for consular purposes.

The said exemption shall not apply to fees paid for specific services.

#### *Article 11*

All articles, including automobiles, imported for the official use of a consulate shall be exempt from all customs duties in the receiving country on the same basis as articles intended for the diplomatic mission of the sending State.

#### *Article 12*

Subject to reciprocity, consular officers and consular employees and members of their families who are nationals of the sending State shall enjoy the same exemptions with regard to customs duties as corresponding categories of the staff of diplomatic missions and members of their families.

#### *Article 13*

1. Consular officers and consular employees shall give evidence in court if requested to do so by a court of the receiving country. No measures may be taken to compel a consular officer or a consular employee who is a national of the sending State to appear in court as a witness or to make a deposition.

If a consular officer or consular employee is unable to appear in court owing to the exigencies of his service or for reasons deemed to be valid under the law of the receiving country, he shall so notify the court and shall make a deposition in the premises of the consulate or at his residence.

2. Consular officers and consular employees shall not be required to take an oath.

3. Consular officers and consular employees may refuse to give evidence concerning matters connected with their official duties.

4. The provisions of paragraphs 1 and 3 above shall also apply in proceedings conducted by administrative authorities.

5. The provisions of this article shall also apply *mutatis mutandis* to members of the families of consular officers and consular employees who reside with them and are nationals of the sending State.

*Article 14*

1. The official correspondence of consulates, regardless of the means of communication employed, shall be inviolable and shall not be subjected to examination.

2. In communicating with the authorities of the sending State, consulates shall be entitled to use codes and the services of diplomatic couriers. Consulates shall be charged at the same rates as diplomatic missions for the use of ordinary means of communication.

3. Consular archives shall be inviolable. Papers of an unofficial character shall not be kept in the consular archives.

4. The offices of consulates shall be inviolable. The authorities of the receiving country shall not use force in any form whatsoever, without the consent of the consul, in the offices or in the living quarters of consular officers.

## PART III

## FUNCTIONS AND DUTIES OF CONSULS

*Article 15*

Consuls shall help to strengthen friendly relations between the Contracting Parties and shall further the development of commercial, economic, cultural and scientific relations between them.

*Article 16*

Consuls shall be entitled, within their consular district, to protect the rights and interests of the sending State and of its nationals and bodies corporate. They may for that purpose apply direct, orally or in writing, to the courts and administrative organs of their consular district.

*Article 17*

1. Consuls shall be entitled to represent in the courts and before the administrative authorities of the receiving country nationals of the sending State who, owing to absence or for other valid reasons, are unable to protect their own rights and interests. This shall also apply to bodies corporate of the sending State.

2. Such representation shall continue until the persons represented appoint their own agents or themselves assume the protection of their rights and interests.

*Article 18*

Consuls shall, where the laws of the sending State so provide, be entitled :

1. To keep a register of nationals of the sending State and to issue or renew their passports and other identity documents;
2. To issue, to their own and to foreign nationals and to stateless persons, visas for entry into, exit from and transit through the sending State.

*Article 19*

1. Consuls shall, where authorized to do so by the laws of the sending State, be entitled :

- (a) To register and receive notification of the birth or death of nationals of the sending State and to accept declarations pertaining to the family relations of such nationals;
- (b) To register marriages contracted and divorces granted in accordance with the laws of the receiving country, where at least one of the parties is a national of the sending State;
- (c) To solemnize marriages where both parties are nationals of the sending State, provided that the laws of the receiving country provide for the solemnization of such marriages.

2. Nothing in the provisions of paragraph 1 of this article shall exempt the persons concerned from the obligation to make such declarations or to effect such registration as may be required by the laws of the receiving country.

*Article 20*

Consuls shall be entitled to carry on the following activities at consulates, at their residences, at the residences of nationals of the sending State, where such nationals so request, and on board vessels sailing under the flag of that State :

1. To receive and certify declarations from nationals of the sending State;
2. To draw up, attest and accept for safekeeping the wills and other instruments and declarations of nationals of the sending State;
3. To draw up and certify agreements concluded between nationals of the sending State, provided that such agreements are not contrary to the laws of the receiving country;
4. To draw up and certify agreements between nationals of the sending State, on the one hand, and nationals of the receiving country or of third countries, on the other hand, provided that such agreements relate exclusively to property and rights situated in the territory of the sending State or to transactions

in respect of which the authorities of the sending State are competent, and provided that such agreements are not contrary to the laws of the receiving country;

5. To certify the signatures of nationals of the sending State on documents;
6. To legalize documents and to certify copies of documents;
7. To certify translations of instruments and documents;
8. To accept for safekeeping from nationals of the sending State documents, money, valuables and other property belonging to such nationals;
9. To perform other official consular acts, provided that they are not contrary to the laws of the receiving country.

#### *Article 21*

1. The instruments and documents mentioned in article 20 above, which have been drawn up or certified by a consul and to which he has affixed his official seal, and also copies and translations of such instruments and documents and extracts therefrom which have been certified by him and to which he has affixed his official seal, shall be regarded in the receiving country as official or officially attested instruments, documents, copies, translations and extracts and shall have the same juridical force as if they had been drawn up or certified by the competent authorities and officials of the receiving country.

2. The instruments, documents, copies, translations and extracts mentioned in paragraph 1 shall, where they are submitted to the authorities of the receiving country, be subject to such legalization as the law of the receiving country may require.

#### *Article 22*

The competent civil registry authority of the receiving country shall transmit to the consul, free of duties and other charges, certificates of the death of nationals of the sending State.

#### *Article 23*

The court or other competent authority dealing with the estate of a national of the sending State shall inform the consul regarding the property comprising the estate, the existence of a will, if any, and such heirs as there may be.

#### *Article 24*

With a view to protecting the rights of heirs who are nationals of the sending State, consuls shall be entitled to represent the interests of such persons in succession proceedings and to communicate with the courts or other competent authorities of the receiving country concerning the measures necessary to preserve



the estate, protect it from damage and deterioration or, where necessary, ensure its sale.

These rights of consuls may also be exercised by a duly authorized representative of the consul.

#### Article 25

1. Where a national of the sending State had his last domicile in the receiving country, the legislative provisions of the receiving country shall be applied to such of his movable estate as is situated in that country, provided that legal or testamentary heirs residing in the receiving country or in a third State so request within six months after the death of the owner.

2. In other cases, the movable estate shall be delivered to the consul in accordance with the provisions of article 26 below. The consul shall take such action with respect to the said estate as is prescribed by the law of sending State.

#### Article 26

1. Claims to the property mentioned in article 25, paragraph 2, by heirs, creditors or other interested persons domiciled or resident in the receiving country or in a third State shall be presented within six months.

2. That part of the estate which, within three months after the expiry of the time-limit indicated in paragraph 1, has not been used for the purpose of satisfying or securing the claims presented, and in respect of which no proceedings have been initiated for the recognition of claims, shall be delivered to the consul.

3. The delivery of the estate under the provisions of paragraph 2 or its transfer abroad by the consul shall take place in accordance with the laws of the receiving country relating to foreign exchange.

#### Article 27

1. If a national of the sending State not domiciled in the receiving country dies while travelling in that country, his personal effects shall be delivered to the consul without any formal proceedings.

2. The consul to whom the effects are delivered shall, within the limits of their value, settle any debts contracted by the deceased during his stay in the receiving country.

3. The provisions of article 26, paragraph 3, shall apply *mutatis mutandis* in the implementation of paragraphs 1 and 2.

*Article 28*

Where immovable property which is situated in the receiving country has been left by a deceased person who was a national of the sending State, the courts or other competent authorities of the receiving country shall apply the law of that country.

*Article 29*

A consul may propose suitable persons to the courts or other competent authorities of the receiving country for appointment as guardians or curators for nationals of the sending State or for the property of such nationals where the said property is without an administrator. The said courts and authorities shall accept the consul's proposal unless serious reasons exist for not doing so. In the latter case, the consul shall be advised of such reasons and he may then propose different candidates.

*Article 30*

1. Consular officers shall be entitled, within their consular district, to meet and communicate with any national of the sending State, to aid and advise such nationals and, where necessary, to provide them with legal assistance. The receiving country shall do nothing to restrict the access of nationals of the sending State to the consulate of that State.

2. Where a national of the sending State is arrested or otherwise detained, the competent authorities of the receiving country shall immediately so notify the consul of the said State.

3. Consular officers of the sending State shall be entitled, without delay, to visit and communicate with any national of the sending State who has been arrested or otherwise detained or is serving a term of imprisonment. The rights specified in this paragraph shall be exercised in conformity with the laws and regulations of the receiving country, provided that the laws and regulations in question do not nullify the said rights.

*Article 31*

1. Consular officers may extend assistance and co-operation to vessels sailing under the flag of the sending State which enter a port in their consular district.

2. Consular officers may, without prejudice to the rights of the authorities of the receiving country, investigate any incident occurring in the course of the voyage on a vessel sailing under the flag of the sending State and, if the laws of the sending State so provide, settle disputes of any kind between the master of the vessel, the officers and other members of the crew. In performing these

tasks, consular officers may apply to the competent authorities of the receiving country for assistance.

3. Where the courts or other competent authorities of the receiving country intend to carry out coercive measures of any kind on board a vessel sailing under the flag of the sending State while it is in the waters of the receiving country, the competent authorities of the receiving country shall notify the consul of the sending State before the said measures are initiated so that a consular officer may be present when the measures are carried out. This provision shall also apply in cases where it is necessary for members of the crew of the vessel to be interrogated on shore by the authorities of the place where the port is situated.

4. Paragraph 3 of this article shall not apply to customs, passport and health control or to measures carried out at the request or with the consent of the master of the vessel.

5. The term "vessel" shall not, for the purposes of this Convention, include military vessels.

### Article 32

Where a vessel sailing under the flag of the sending State is wrecked, runs aground, is stranded or is otherwise damaged in the territory of the receiving country, the competent authorities of the receiving country shall without delay notify the consul of the occurrence and inform him of the measures they have taken to save lives, the vessel and the cargo.

Consular officers may extend all possible assistance to such vessels, the members of their crews and their passengers and may take measures to safeguard the cargo and repair the vessel or request the authorities of the receiving country to take such measures.

The competent authorities of the receiving country shall extend the necessary assistance to consular officers in their action in connexion with the damage to the vessel.

The damaged vessel and its cargo and supplies shall not be subject to customs duty in the territory of the receiving country unless they are transferred for use in that country.

### Article 33

The provisions of articles 31 and 32 shall also apply *mutatis mutandis* to aircraft.

## PART IV

## FINAL PROVISIONS

*Article 34*

1. The provisions of this Convention relating to the rights and duties of consular officers shall also apply to members of diplomatic missions of the Contracting Parties who are entrusted with the performance of consular functions and whose names are notified by the diplomatic mission to the Ministry of Foreign Affairs of the receiving country.

2. The performance of consular functions by such persons shall not affect the diplomatic privileges and immunities accorded to them.

*Article 35*

1. This Convention shall be ratified and shall enter into force on the expiry of thirty days after the exchange of the instruments of ratification, which shall take place at Helsinki.

2. The Convention shall remain in force until six months after the date on which either Contracting Party informs the other Contracting Party that it wishes to terminate the Convention.

IN WITNESS WHEREOF the plenipotentiaries of the two Contracting Parties have signed this Convention and have thereto affixed their seals.

DONE at Moscow on 24 January 1966, in duplicate in the Finnish and Russian languages, both texts being equally authentic.

For the President of the Republic of Finland :

Veli HELENIOUS

For the Presidium of the Supreme Soviet  
of the Union of Soviet Socialist Republics :

O. KHLESTOV

PROTOCOL TO THE CONSULAR CONVENTION BETWEEN THE  
REPUBLIC OF FINLAND AND THE UNION OF SOVIET  
SOCIALIST REPUBLICS

1. The Contracting Parties agree that notification of the consul where a national of the sending State is arrested or otherwise detained, as provided in article 30, paragraph 2, of the Consular Convention of 24 January 1966 between the Republic of Finland and the Union of Soviet Socialist Republics, shall take place, depending on the available means of communication, within one to three days after such arrest or detention.

2. The Contracting Parties agree that the right of consular officers to visit and communicate with any national of the sending State who has been arrested or otherwise detained, as provided in article 30, paragraph 3, of the Consular Convention, shall, depending on where the person in question is being held, be granted within two to four days after such arrest or detention.

3. The Contracting Parties agree that the right of consular officers to visit and communicate with any national of the sending State who has been arrested or otherwise detained or is serving a term of imprisonment, as provided in article 30, paragraph 3, of the Consular Convention, shall be granted periodically.

This Protocol shall constitute an integral part of the Consular Convention of 24 January 1966 between the Republic of Finland and the Union of Soviet Socialist Republics.

DONE at Moscow on 24 January 1966, in duplicate in the Finnish and Russian languages, both texts being equally authentic.

For the President of the Republic of Finland :

Veli HELENIOUS

For the Presidium of the Supreme Soviet  
of the Union of Soviet Socialist Republics :

O. KHELESTOV