

No. 9359

**ISRAEL
and
BELGIUM**

**Exchange of notes (with annexes) constituting an agreement
relating to consular functions. Tel Aviv, 19 August 1968,
and Jerusalem, 25 September 1968**

Official text: French.

Registered by Israel on 16 December 1968.

**ISRAËL
et
BELGIQUE**

**Échange de notes (avec annexes) constituant un accord relatif
aux fonctions consulaires. Tel Aviv, 19 août 1968, et Jérusalem,
25 septembre 1968**

Texte officiel français.

Enregistré par Israël le 16 décembre 1968.

[TRANSLATION — TRADUCTION]

No. 9359. EXCHANGE OF NOTES CONSTITUTING AN
AGREEMENT¹ BETWEEN ISRAEL AND BELGIUM
RELATING TO CONSULAR FUNCTIONS. TEL AVIV,
19 AUGUST 1968 AND JERUSALEM, 25 SEPTEMBER 1968

I

BELGIAN EMBASSY

No. 1934

Annexes : 2

Tel Aviv, 19 August 1968

The Belgian Embassy presents its compliments to the Ministry of Foreign Affairs and has the honour to communicate the following :

The Kingdom of Belgium and the Grand Duchy of Luxembourg signed at Brussels on 30 September 1965² a Convention concerning Co-operation in Consular Matters which entered into force on 1 February 1967 and the text of which is annexed hereto.

The Ministry of Foreign Affairs will also find annexed hereto the text of instructions to the Head of the Belgian diplomatic mission and the Heads of Belgian consular posts for the implementation of the above-mentioned Convention.

The Embassy would be grateful if the Ministry of Foreign Affairs would kindly inform it whether the Ministry can agree to such consular collaboration under the conditions set forth in those instructions.

The Embassy takes this opportunity to renew etc.

[SEAL]

Ministry of Foreign Affairs
Jerusalem

¹ Came into force on 25 September 1968, by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 590, p. 35.

ANNEX 1

CONVENTION BETWEEN THE KINGDOM OF BELGIUM AND THE GRAND DUCHY OF LUXEMBOURG CONCERNING CO-OPERATION IN CONSULAR MATTERS. SIGNED AT BRUSSELS, ON 30 SEPTEMBER 1965

[The text of this Convention, which was registered on 9 February 1967 by Belgium under No. 8545, will be found in volume 590 of the United Nations Treaty Series, page 35.]

ANNEX 2

To the Heads of Belgian diplomatic missions and consular posts abroad

Subject: Instructions on the implementation of the Belgo-Luxembourg Convention concerning Co-operation in Consular Matters, signed at Brussels on 30 September 1965, which entered into force on 1 February 1967

Collaboration between Belgium and Luxembourg in the matter of consular representation dates back to the time of the establishment of the Belgo-Luxembourg Economic Union by the Convention of 25 July 1921.

Article 26 of that Convention provided that "in districts where the Grand Duchy of Luxembourg has no consular officers the protection of Luxembourg interests shall be entrusted to Belgian consular officers".

Since that time, Belgian consular posts have, within the limits of their competence, rendered to the Luxembourg Government and Luxembourg nationals such services as the latter might have occasion to request of them.

The review of the BLEU — resulting in the signing of the Protocols of 29 January 1963, which entered into force on 1 August 1965 — provides an occasion for bringing up to date and clarifying the mandate assumed by Belgium on behalf of Luxembourg.

The revised Economic Union Convention (article XIV of the amending Protocol, article 39 of the Consolidated Convention) sets forth the principle that the protection of the economic and commercial interests of Luxembourg shall be ensured by Belgian consulates in areas where Luxembourg has no consulate, it being understood that other consular functions shall be performed by Belgian consular posts under the terms of a special convention to be concluded between the two countries. The determination of those functions is the subject of the Convention signed at Brussels on 30 September 1965.

The mandate thus entrusted to Belgium is in conformity with a practice which other countries have also adopted in the matter of international relations and which was formally recognized in the Vienna Convention on Consular Relations of 24 April 1963.

The terms used in the Belgo-Luxembourg Convention are in line with those adopted in the Vienna Convention. Thus, "consular post" was intended to refer to any consulate-general, consulate, vice-consulate or consular agency. The expression "consular district" comprises the area assigned to a consular post for the exercise of consular functions.

Lastly, the expression “consular officer” applies to any person, including the head of a consular post, entrusted in that capacity with the exercise of consular functions.

The circumstances in which Belgian consular officers are or may be required, in the absence of a Luxembourg consular officer, to take steps for the protection and defence of Luxembourg consular interests are, in general terms, determined by article 1 of the Convention.

In this respect, various circumstances may arise in a given consular district :

- (a) Luxembourg may have no consulate with competence to act in the district;
- (b) The authorized Luxembourg consul may be unable for the time being to perform his functions;
- (c) The Luxembourg consular post competent for the district may be temporarily vacant;
- (d) For physical reasons — for example reasons of distance — the authorized Luxembourg consul may be unable, in a specific case, to take adequate steps.

II

MINISTRY OF FOREIGN AFFAIRS
JERUSALEM
Consular Division

The Ministry of Foreign Affairs presents its compliments to the Belgian Embassy and, with reference to its note No. 1934 of 19 august 1968 concerning the co-operation in consular matters provided for in the Convention concluded between the Kingdom of Belgium and the Grand Duchy of Luxembourg, has the honour to inform the Embassy that it agrees to such consular collaboration, with due regard for the provisions of the Vienna Convention on Consular Relations of 24 April 1963¹ and the laws in force in the State of Israel.

The Ministry of Foreign Affairs takes this opportunity to renew etc.

Jerusalem, 25 September 1968

Belgian Embassy in Israel

¹ United Nations, *Treaty Series*, Vol. 596, p. 261.