

No. 9384

UNION OF SOVIET SOCIALIST REPUBLICS
and
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

**Consular Convention (with protocol). Signed at Moscow on
2 December 1965**

Authentic texts: Russian and English.

Registered by the Union of Soviet Socialist Republics on 15 January 1969.

UNION DES RÉPUBLIQUES SOCIALISTES
SOVIÉTIQUES
et
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD

**Convention consulaire (avec protocole). Signée à Moscou le
2 décembre 1965**

Textes authentiques: russe et anglais.

Enregistrée par l'Union des Républiques socialistes soviétiques le 15 janvier 1969.

CONSULAR CONVENTION¹ BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The Praesidium of the Supreme Soviet of the Union of Soviet Socialist Republics and Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth;

Desiring to join in strengthening the ties of friendship between their respective countries;

Wishing to regulate their relations in the consular field and thus to facilitate the protection of their respective national interests and the rights and interests of their respective nationals;

Have decided to conclude a Consular Convention and have appointed as their Plenipotentiaries for this purpose :

The Praesidium of the Supreme Soviet of the Union of Soviet Socialist Republics : Monsieur Andrei Andreevich Gromyko, Minister for Foreign Affairs of the Union of Soviet Socialist Republics;

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth (hereinafter referred to as " Her Britannic Majesty "); for the United Kingdom of Great Britain and Northern Ireland : The Right Honourable Michael Stewart, M.P., Her Britannic Majesty's Principal Secretary of State for Foreign Affairs;

who, having communicated to each other their respective full powers, which were found in good and due form, have agreed as follows :

PART I

DEFINITIONS

Article 1

For the purposes of this Convention :

(1) the term " consulate " shall mean a consulate-general, consulate, vice-consulate or consular agency;

¹ According to the information provided by the Government of the Union of Soviet Socialist Republics, the Convention came into force on 21 September 1968, i.e., on the thirtieth day after the exchange of the instruments of ratification which took place in London on 23 August 1968, in accordance with article 42 (1). However, the Government of Great Britain and Northern Ireland construes the latter provision as meaning that the Convention came into force on 22 September 1968.

(2) the term “ consular officer ” shall mean any person, including a consular officer, head of a post, (whether a consul-general, consul, vice-consul or consular agent) who is charged with the performance of consular duties and has been appointed or notified as such in conformity with Article 3 or 4, as the case may be; the term shall also include any person appointed to a consulate for the purposes of consular training;

(3) the term “ consular employee ” shall mean any person employed to perform administrative, technical or service duties at a consulate and notified as such in conformity with Article 6;

(4) the term “ vessel ” shall mean, in relation to the sending State, any vessel registered at a port of the sending State; the term shall not, however, include any ship of war.

PART II

ESTABLISHMENT OF CONSULATES AND APPOINTMENT OF CONSULAR OFFICERS AND EMPLOYEES

Article 2

(1) The opening of a consulate in the receiving State shall be subject to the consent of that State.

(2) The sending and receiving States shall determine by agreement the seat of the consulate and the limits of the consular district.

Article 3

(1) The sending State shall request in advance through the diplomatic channel the agreement of the receiving State to the appointment of a consular officer, head of a post.

(2) After such agreement has been obtained the diplomatic mission of the sending State shall transmit to the ministry of foreign affairs of the receiving State the consular commission or other document of appointment. The commission or other document shall specify the full name of a consular officer, head of a post, his nationality, his rank, the consular district in which he will perform his duties and the seat of the consulate.

(3) Upon the presentation of the commission or other document of appointment of a consular officer, head of a post, the exequatur or other authorisation shall be granted as soon as possible and free of charge by the receiving State.

(4) A consular officer, head of a post, may enter upon the performance of his duties as soon as the receiving State has granted him an exequatur or other authorisation.

Article 4

(1) The sending State shall notify in advance the ministry of foreign affairs of the receiving State of the full name, nationality, rank and function of a consular officer appointed to a consulate in a capacity other than that of head of a post.

(2) The receiving State shall grant him an appropriate document confirming his right to perform consular duties in the receiving State.

Article 5

A consular officer shall be a national of the sending State.

Article 6

The sending State shall notify in advance the ministry of foreign affairs of the receiving State of the full name, nationality and function of a consular employee appointed to a consulate.

Article 7

A national of the sending State who is already present in the receiving State or who is in transit thereto may not be appointed as a consular officer or employee. This prohibition does not apply, however, in the case of a national who is already a member of the staff of a consulate, or of the staff, as defined in sub-paragraph (c) of Article 1 of the Vienna Convention on Diplomatic Relations signed on the 18th of April, 1961,¹ of the diplomatic mission of the sending State in the receiving State.

Article 8

The receiving State may at any time, and without having to explain the reason for its decision, notify the sending State through the diplomatic channel that the exequatur or other authorisation of a consular officer, head of a post, has been revoked or that a consular officer or employee is unacceptable. The sending State shall thereupon recall the officer or employee concerned in the event that he has already taken up his appointment. If it fails to carry out this

¹ United Nations, *Treaty Series*, Vol. 500, p. 95.

obligation within a reasonable period the receiving State may decline to continue to recognise the person concerned as a consular officer or employee, as the case may be.

Article 9

The receiving State shall afford its protection to a consular officer and shall take the necessary measures to ensure that he is enabled to perform his duties and is accorded the rights, privileges and immunities due to him under this Convention and the law of the receiving State.

Article 10

(1) If a consular officer, head of a post, is unable for any reason to act as such or if the post is temporarily vacant, the sending State may appoint a consular officer belonging to the same consulate or to another consulate in the receiving State or a member of the diplomatic staff of its diplomatic mission in that State to act temporarily in his place. The full name of the person concerned shall be notified in advance to the ministry of foreign affairs of the receiving State.

(2) Such acting officer shall be entitled to perform the duties of the consular officer, head of a post, in whose place he is acting. He shall be subject to the same obligations and shall be accorded the same rights, privileges and immunities as if he had been appointed under Article 3.

(3) Without prejudice to the provisions of paragraph (7) of Article 34, the appointment of a member of the diplomatic staff of the diplomatic mission of the sending State to a consulate in pursuance of paragraph (1) of this Article shall not affect the privileges and immunities accorded to him by virtue of his diplomatic status.

Article 11

(1) Members of the diplomatic staff of the diplomatic mission of the sending State in the receiving State who are charged with the performance of consular duties within that mission and whose names have been so notified to the ministry of foreign affairs of the receiving State, shall be accorded the same rights and be subject to the same obligations as consular officers under this Convention.

(2) Without prejudice to the provisions of paragraph (7) of Article 34, the performance of consular duties by persons to whom paragraph (1) of this

Article applies shall not affect the privileges and immunities accorded to them by virtue of their diplomatic status.

Article 12

(1) The sending State may, to the extent that this is permitted under the law of the receiving State, acquire, hold or occupy under any form of tenure which may exist under that law, land, buildings or parts of buildings for the purposes of providing a consulate or a residence for a consular officer or, provided that he is a national of the sending State, a consular employee.

Where necessary, the receiving State shall assist the sending State in acquiring land, buildings or parts of buildings for these purposes.

(2) Nothing in the provisions of paragraph (1) of this Article shall be construed so as to exempt the sending State from the operation of any building or town planning regulation, or other restriction, applicable to the area in which the land, buildings or parts of buildings concerned are situated.

PART III

PRIVILEGES AND IMMUNITIES

Article 13

(1) The coat of arms or consular shield of the sending State together with an appropriate inscription designating the consulate in the language of that State and of the receiving State may be affixed to the building in which a consulate is installed, as also on or by the entrance door to the consulate.

(2) The flag of the sending State and its consular flag may be flown at the consulate and also at the residence of a consular officer, head of a post.

(3) The appropriate flag of the sending State may likewise be flown on the means of transport (motor vehicles and launches) of a consular officer, head of a post, used by him in the performance of his official duties.

Article 14

(1) Land, buildings and parts of buildings used exclusively for the purposes of a consulate shall be inviolable. The police or other authorities of the receiving State shall not enter the said land, buildings or parts of buildings except with the consent of the consular officer, head of the post, or of the head of the diplomatic mission of the sending State or of a person nominated by one of them.

(2) The provisions of paragraph (1) of this Article shall apply also to the residence of a consular officer.

Article 15

The consular archives shall be inviolable at all times and wherever they may be. Unofficial papers shall not be kept in the archives.

Article 16

(1) (a) A consulate shall be entitled to exchange communications with the Government of the sending State and with the diplomatic mission, or other consulates, of that State in the receiving State. For this purpose the consulate may employ all public means of communication as also couriers, sealed pouches, bags and other containers, and may use cyphers.

(b) In respect of public means of communication the same tariffs shall be applied in the case of a consulate as are applied in the case of the diplomatic mission.

(2) The official correspondence of a consulate, whatever the means of communication employed, as also the sealed pouches, bags and other containers referred to in sub-paragraph (a) of paragraph (1) of this Article shall, provided that they bear visible external marks of their official character, be inviolable and the authorities of the receiving State shall not examine or detain them.

(3) Persons charged with the conveyance of consular pouches, bags and other containers shall be accorded the same rights, privileges and immunities as are accorded by the receiving State to the diplomatic couriers of the sending State.

Article 17

(1) A consular officer or employee shall, provided, in either case, that he is not a national of the receiving State, be immune from the jurisdiction of that State except in the cases referred to in sub-paragraphs (a), (b) and (c) of paragraph (1) and in paragraph (3) of Article 31 of the Vienna Convention on Diplomatic Relations signed on the 18th of April, 1961. The person of such an officer or employee shall be inviolable.

(2) Members of the family of such a consular officer or employee, residing with him, shall, provided that they likewise are not nationals of the receiving State, be immune from the jurisdiction of that State and enjoy personal inviolability to the same extent as the consular officer or employee.

(3) (a) The sending State may waive the immunity from jurisdiction of a consular officer or employee or of a member of the family of such an officer or employee. Such waiver shall always be express.

(b) Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of execution of the judgment for which a separate waiver must be made.

Article 18

(1) A consular officer or employee who is not a national of the receiving State may, in the interests of justice, voluntarily comply with a request to give evidence as a witness. In so doing, however, he may decline to give evidence with regard to matters falling within the scope of his official duties or in the capacity of an expert witness concerning the law of the sending State. No coercive measures shall be taken to compel such an officer or employee to give evidence or to appear in court for this purpose, and no penalty shall be imposed in the event of failure to give evidence or to appear in court.

(2) In the event of compliance by a consular officer or employee with a request to give evidence as a witness all reasonable steps shall be taken to avoid interference with the work of the consulate. In cases where this is permissible and possible evidence may be given, orally or in writing, at the consulate or the residence of the officer or employee concerned.

(3) A consular employee to whom paragraph (1) of this Article does not apply may decline to give evidence as a witness with regard to matters falling within the scope of his official duties.

(4) A consular officer or employee shall be entitled in giving evidence as a witness to make an affirmation in lieu of an oath.

(5) The provisions of this Article shall apply to proceedings before administrative tribunals as well as to proceedings before courts.

(6) The provisions of paragraphs (1), (3), (4) and (5) of this Article shall apply, to the extent that they are capable of such application, to the members of the family of a consular officer or employee, residing with him, provided in each case that the person concerned is not a national of the receiving State.

Article 19

(1) A consular officer shall be exempt in the receiving State from service in the armed forces and from compulsory public service of any kind.

(2) The provisions of paragraph (1) of this Article shall also apply to consular employees and to members of the families of consular officers and employees, residing with them, provided, in each case, that the person concerned is not a national of the receiving State.

Article 20

A consular officer or employee, together with members of his family residing with him, shall be exempt from all requirements under the laws or regulations of the receiving State relative to the registration of aliens, permission to reside and other similar matters.

Article 21

(1) No tax or other similar charge of any kind shall be imposed or collected by the receiving State in respect of

- (a) land, buildings or parts of buildings used exclusively for consular purposes, including the purpose of providing a residence for a consular officer or employee, provided that the premises in question are owned or leased in the name of the sending State or of some natural or juridical person acting on behalf of that State;
- (b) transactions or instruments relating to the acquisition of immovable property by the sending State exclusively for consular purposes as specified in sub-paragraph (a) of this paragraph.

(2) The provisions of sub-paragraph (a) of paragraph (1) of this Article shall not apply with regard to payments due in respect of services rendered.

Article 22

No tax or other similar charge of any kind for the payment of which the sending State would otherwise be legally liable shall be imposed or collected by the receiving State in respect of the acquisition, ownership, possession or use of movable property by the sending State for consular purposes.

Article 23

A consular officer or, provided that he is not a national of the receiving State, a consular employee, shall be exempt in that State from all taxes or other similar charges of any kind imposed or collected by the receiving State in respect

of the official emoluments, salary, wages or allowances received by him as compensation for his official duties.

Article 24

(1) Subject to the provisions of paragraph (2) of this Article a consular officer or employee, provided, in either case, that he is not a national of the receiving State, that he is not engaged in private occupation for gain in the receiving State and that he is a permanent official of the sending State, shall in his private capacity be exempt in the receiving State from all taxes or other similar charges of any kind imposed or collected by the receiving State for the payment of which he would otherwise be the person legally liable.

(2) The provisions of paragraph (1) of this Article shall not, however, apply with respect to

- (a) taxes on the acquisition, ownership, occupation or disposal of immovable property situated within the receiving State;
- (b) without prejudice to the provisions of Article 23, taxes on income derived from other sources or on the appreciation of assets within the receiving State;
- (c) taxes on transactions, or instruments effecting transactions, including stamp duties imposed or collected in connexion therewith;
- (d) without prejudice to the provisions of Article 25, taxes on the passing at death, including by inheritance, of property.

Article 25

If a consular officer or employee or a member of his family, residing with him, dies and leaves movable property in the receiving State, no tax or other similar charge of any kind shall be imposed or collected by the receiving State in respect of that property, provided that the person concerned was not a national of the receiving State and that the presence of the property in that State was due solely to the presence of the deceased in his capacity as a consular officer or employee or as a member of the family of such an officer or employee.

Article 26

(1) The same exemption from duties or other taxes of any kind imposed upon or by reason of importation as is accorded in respect of articles imported for the official use of the diplomatic mission of the sending State in the receiving State, shall be accorded in respect of all articles, including motor vehicles, imported exclusively for the official use of the consulate.

(2) (a) A consular officer or employee, provided, in either case, that he is not a national of the receiving State, that he is not engaged in private occupation for gain in that State and that he is a permanent official of the sending State, shall be accorded the same exemption from duties or other taxes of any kind in respect of articles imported as is accorded to a member of the corresponding category of personnel of the diplomatic mission of the sending State.

(b) The provisions of sub-paragraph (a) of this paragraph shall apply also to the members of the family of such a consular officer or employee residing with him, provided, in each case, that the person concerned is not a national of the receiving State and is not engaged in private occupation for gain in that State.

(3) For the purposes of paragraph (2) of this Article the expression "corresponding category of personnel of the diplomatic mission" refers, in relation to consular officers, to members of the diplomatic staff and, in relation to consular employees, to members of the administrative and technical staff.

Article 27

All persons to whom privileges and immunities are accorded under this Convention shall, without prejudice to the said privileges and immunities, be under an obligation to respect the laws and regulations of the receiving State, including those relative to the control of traffic and to the insurance of motor vehicles.

Article 28

Subject to the laws and regulations of the receiving State with regard to areas entry into which is prohibited or restricted for reasons of national security, a consular officer shall be permitted to travel freely within the consular district for the purpose of performing his official duties.

PART IV

CONSULAR FUNCTIONS

Article 29

(1) A consular officer shall be entitled, within the consular district, to perform the duties specified in this Part. He may, in addition, perform other official consular duties, provided that they are not contrary to the law of the receiving State.

(2) In connexion with the performance of his duties a consular officer may apply to and correspond with the competent authorities within the consular district.

Article 30

A consular officer shall be entitled, within the consular district,

- (a) to protect the rights and to promote the interests of the sending State and of its nationals; the term "national" shall, for the purposes of this Part, mean any person whom the sending State recognises as its national, including, where the context so permits, any juridical entity;
- (b) to further the expansion of commercial, economic, cultural and scientific contacts between the sending State and the receiving State and to contribute in other ways towards the development of friendly relations between them.

Article 31

(1) A consular officer shall be entitled, within the consular district,

- (a) to receive such declarations as may be required to be made under the law of the sending State relative to nationality;
- (b) to keep a register of nationals of the sending State;
- (c) to register or receive notification of the birth or death of a national of the sending State;
- (d) to record a marriage solemnized under the law of the receiving State, or a divorce granted under that law, provided that at least one of the parties to such marriage or divorce is a national of the sending State;
- (e) to solemnise a marriage, provided that both parties thereto are nationals of the sending State and provided also that the solemnization of such a marriage is not prohibited under the law of the receiving State;

- (f) to receive declarations pertaining to the family relationships of a national of the sending State in accordance with the law of that State;
- (g) to issue, amend, validate and revoke passports, entry, exit and transit visas and other similar documents.

(2) Nothing in the provisions of sub-paragraphs (c), (d) or (e) of paragraph (1) of this Article shall exempt any private person from any obligation imposed by the law of the receiving State with regard to the notification to, or registration with, the competent authorities of any matter dealt with in those provisions.

Article 32

- (1) A consular officer shall be entitled, within the consular district,
- (a) to draw up, attest, identify, authenticate, legalise or take such other action as may be necessary to validate acts or documents of a juridical character or copies thereof, including commercial documents, declarations, registrations, testamentary dispositions and contracts required
- (i) by a person of any nationality for use in the sending State or under the law of that State;
- (ii) by a national of the sending State for use elsewhere than in that State.
- (b) to translate documents and to certify the accuracy of the translation.

(2) It is, however, understood that, where an act or document referred to in paragraph (1) of this Article is required for use in the receiving State or under the law of that State, the authorities of that State shall be obliged to recognize its validity only to the extent that this is consistent with the law of the receiving State.

(3) If they are submitted to the authorities of the receiving State, documents, copies, extracts and translations shall be legalized where this is required by the law of the receiving State.

Article 33

If they have knowledge of the death of a national of the sending State the competent authorities of the receiving State shall notify the appropriate consulate accordingly.

Article 34

(1) (a) Where it comes to the knowledge of the competent authorities of the receiving State that in that State there is an estate

of a deceased person of any nationality in relation to which a consular officer may have a right to represent interests by virtue of the provisions of paragraph (3) of this Article; or

of a national of the sending State in relation to which no person (other than an authority of the receiving State) entitled to claim administration is present in the receiving State or represented in that State

the said authorities shall so inform the appropriate consular officer of the sending State.

(b) The consular officer shall likewise inform the competent authorities of the receiving State if such information should reach him through any other channel.

(2) Where a deceased national of the sending State leaves property in the receiving State the consular officer shall be entitled to take steps personally or through an authorised representative

(a) for the protection and preservation of the estate;

(b) for the full administration of the estate.

(3) Where a national of the sending State holds or claims an interest in property left in the receiving State by a deceased person of any nationality and is not present in the receiving State or otherwise represented in that State, the consular officer shall likewise be entitled to represent the interests of the said national to the same extent as if valid powers of attorney had been executed by him in favour of the consular officer.

(4) It is understood that

(a) the consular officer may take action in conformity with paragraphs (2) and (3) of this Article only in the absence of such action by a person having equal or superior rights so to act or by his representative;

(b) if it is necessary under the law of the receiving State to obtain a grant of representation or order of a court before action can be taken in pursuance of paragraph (2) or of paragraph (3) of this Article such grant or order shall be made in favour of the consular officer upon his application.

(5) A consular officer may, on behalf of a national of the sending State not present in the receiving State receive from a court, agency or person, money or other property to which the national concerned may be entitled as a consequence of the death of any person, including shares in an estate, payments made in pursuance of workmen's compensation laws and the proceeds of life insurance

policies. The court, agency or person in question may require that the consular officer shall comply with such conditions as it may prescribe with regard to

- (a) the production of a power of attorney or other authorisation from the national concerned;
- (b) the production of reasonable evidence of the receipt of such money or property by the said national;
- (c) the return of the money or property in the absence of such evidence.

(6) (a) If a national of the sending State dies while travelling in or passing through the receiving State, not being domiciled in that State, the consular officer may for the purpose of safeguarding the money and effects in the personal possession of the deceased take immediate custody thereof.

(b) The consular officer shall be entitled to retain for disposal in conformity with the appropriate law of succession those objects which the deceased national had with him for personal use but any right to retain possession of money or other effects shall be subject, except where the law of the receiving State otherwise provides, to the provisions of paragraphs (2), (3) and (4) of this Article.

(7) If a consular officer exercises the rights accorded under this Article with regard to an estate he shall, notwithstanding the provisions of Articles 17 and 18, be subject to that extent to the civil jurisdiction of the courts of the receiving State.

Article 35

(1) A consular officer shall be entitled to propose to a court or other competent authority of the receiving State the names of appropriate persons to act as guardians or trustees in respect of a national of the sending State or in respect of the property of such a national in any case where that property is left without supervision.

(2) If the court or authority concerned considers that a person proposed is for any reason unacceptable the consular officer may propose a new candidate.

Article 36

(1) (a) A consular officer shall be entitled within the consular district to communicate with, interview and advise a national of the sending State and may render him every assistance including, where necessary, arranging for aid and advice in legal matters.

(b) No restriction shall be placed by the receiving State upon the access of a national of the sending State to the consulate or upon communication by him with the consulate.

(2) In any case where a national of the sending State has been arrested or is held under any other form of detention the competent authorities of the receiving State shall immediately so inform the appropriate consular officer of the sending State.

(3) In any case where a national of the sending State has been arrested or is held under any other form of detention or is serving a sentence of imprisonment the consular officer shall have the right to visit and to communicate with him without delay. The rights referred to in this paragraph shall be exercised in accordance with the laws and regulations of the receiving State, provided, however, that the said laws and regulations shall not invalidate these rights.

Article 37

(1) A consular officer shall be entitled to render every assistance and aid to a vessel of the sending State which has come to a port or other place of anchorage within the consular district.

(2) The consular officer may proceed on board the vessel as soon as she has received pratique. The master and members of the crew shall be permitted to communicate with the consular officer

(3) A consular officer may invoke the aid of the competent authorities of the receiving State in any matter relating to the performance of his duties with respect to a vessel of the sending State or to the master and members of the crew of such a vessel.

Article 38

(1) A consular officer shall be entitled, within the consular district,

(a) to investigate, without prejudice to the rights of the authorities of the receiving State, any incident occurring on board a vessel of the sending State during her voyage, question the master and any member of the crew, examine the vessel's papers, take statements with regard to her voyage and destination and generally facilitate the entry into, stay in and departure from, a port of the vessel;

(b) to arrange, provided this is not contrary to the law of the receiving State, for the engagement and discharge of the master or any member of the crew;

(c) without prejudice to the rights of the authorities of the receiving State, to settle disputes of any kind between the master and any member of the crew,

including disputes as to wages and contracts of service, to the extent that this is permitted under the law of the sending State;

- (d) to make arrangements for the treatment in a hospital and for the repatriation of the master or any member of the crew of the vessel;
- (e) to receive, draw up or execute any declaration or other document prescribed by the law of the sending State in connexion with vessels.

(2) A consular officer may, to the extent that the law of the receiving State permits him to do so, appear with the master or any member of the crew of the vessel before the courts and authorities of that State, render them every assistance and act as interpreter in matters between them and these courts and authorities.

Article 39

(1) Where it is the intention of the courts or other competent authorities of the receiving State to take any coercive action or to institute any formal enquiry on board a vessel of the sending State they shall so inform the appropriate consular officer. Except where this is impossible on account of the urgency of the matter, such notification shall be made in time to enable the consular officer or his representative to be present. If the consular officer has not been present or represented he shall, upon request, be provided by the authorities concerned with full information with regard to what has taken place.

(2) The provisions of paragraph (1) of this Article shall apply also in any case where it is the intention of the competent authorities of the port area to question the master or any member of the crew ashore.

(3) The provisions of this Article shall not, however, apply to any routine examination by the authorities with regard to customs, immigration or public health nor to any action taken at the request, or with the consent, of the master of the vessel.

Article 40

(1) If a vessel of the sending State is wrecked, runs aground, is swept ashore or otherwise sustains damage in the receiving State or if any article forming part of the cargo of a wrecked vessel of a third State, being the property of a national of the sending State, is found on or near the coast of the receiving State or is brought into a port of that State, the competent authorities of the receiving State shall as soon as possible notify the appropriate consular officer accordingly. They shall also inform him of measures already taken for the preservation of the

vessel, of the lives of persons on board the vessel, of the cargo and other property on board and of articles belonging to the vessel, or forming part of her cargo, which have become separated from the vessel.

(2) The consular officer may render every assistance to the vessel, her passengers and members of her crew and for this purpose may invoke the assistance of the competent authorities of the receiving State. He may take the measures referred to in paragraph (1) of this Article as also measures for the repair of the vessel, or may request the authorities to take, or continue to take, such measures.

(3) (a) Where the vessel or any article belonging thereto has been found on or near the coast of the receiving State or brought into a port of that State and neither the master of the vessel, the owner, his agent nor the underwriters concerned is in a position to make arrangements for the custody or disposal of the vessel or article, the consular officer shall be deemed to be authorized to make, on behalf of the owner of the vessel, the same arrangements as the owner himself could have made for such purposes.

(b) The provisions of sub-paragraph (a) of this paragraph shall also apply to any article forming part of the cargo of the vessel and being the property of a national of the sending State.

(4) (a) The vessel, cargo, equipment and fittings, stores or other articles from the vessel, provided that they are not delivered for use or consumption in the receiving State, shall not be liable to customs duties or other taxes of any kind imposed upon or by reason of importation.

(b) Nothing in the provisions of sub-paragraph (a) of this paragraph shall be construed so as to preclude the application of the laws and regulations of the receiving State with regard to the temporary storage of goods.

(5) Where any article forming part of the cargo of a wrecked vessel of a third State is the property of a national of the sending State and is found on or near the coast of the receiving State or is brought into a port of that State, and neither the master of the vessel, the owner of the article, his agent nor the underwriters concerned is in a position to make arrangements for the custody or disposal of the article, the consular officer shall be deemed to be authorized to make, on behalf of the owner, such arrangements as the owner himself could have made for such purposes.

Article 41

The provisions of Articles 37 to 40 shall also apply in relation to civil aircraft to the extent that they are capable of such application.

PART V

FINAL PROVISIONS

Article 42

(1) This Convention shall be ratified and shall enter into force on the thirtieth day after the exchange of instruments of ratification which shall take place in London as soon as possible.

(2) This Convention shall remain in force for a period of five years. In case neither High Contracting Party shall have given to the other, twelve months before the expiry of the said period of five years, notice of intention to terminate the Convention, it shall continue to remain in force until the expiry of twelve months from the date on which notice of such intention is given by one High Contracting Party to the other.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Convention and affixed thereto their seals.

DONE in duplicate at Moscow this second day of December, 1965, in the Russian and English languages, both texts being equally authoritative.

On behalf of the Praesidium
of the Supreme Soviet
of the Union of Soviet Socialist
Republics :

A. ГРОМБИКО

On behalf
of Her Britannic Majesty :

Michael STEWART

PROTOCOL TO THE CONSULAR CONVENTION BETWEEN THE
UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
SIGNED AT MOSCOW ON 2 DECEMBER, 1965

At the time of signing the Consular Convention of to-day's date between the Union of Soviet Socialist Republics and the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the Convention"), the respective Plenipotentiaries, duly authorized thereto, have agreed as follows:

(1) The notification to the consular officer provided for in paragraph (2) of Article 36 of the Convention shall be made in the course of one to three days (but not later) from the moment that the national of the sending State in question was placed under arrest or otherwise detained, having regard to the means of communication available.

(2) The rights to visit and communicate with the national provided for in paragraph (3) of Article 36 of the Convention shall be accorded to the consular officer in the course of two to four days (but not later) from the moment that the national was placed under arrest or otherwise detained, having regard to the whereabouts of the latter.

(3) The rights of visit and communication provided for in paragraph (3) of Article 36 of the Convention shall, while the national in question is under arrest or detention or is serving a sentence of imprisonment, be accorded to the consular officer on a recurrent basis.

(4) This Protocol shall form an integral part of the Convention.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Protocol and affixed thereto their seals.

DONE in duplicate at Moscow, this second day of December, 1965, in the Russian and English languages, both texts being equally authoritative.

On behalf of the Praesidium
of the Supreme Soviet
of the Union of Soviet Socialist
Republics :

A. ГРОМБИКО

On behalf
of Her Britannic Majesty :

Michael STEWART