

No. 10732

**FRANCE
and
BULGARIA**

Consular Convention. Signed at Paris on 22 July 1968

Authentic texts: French and Bulgarian.

Registered by France on 3 September 1970.

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[TRANSLATION — TRADUCTION]

CONSULAR CONVENTION¹ BETWEEN THE FRENCH
REPUBLIC AND THE PEOPLE'S REPUBLIC OF BUL-
GARIA

The President of the French Republic and the Presidium of the People's Republic of Bulgaria,

Desiring to regulate consular relations between the French Republic and the People's Republic of Bulgaria and thus to promote the development of relations between the two countries,

Have decided to conclude a consular convention and have for that purpose appointed as their plenipotentiaries:

The President of the French Republic: Mr. Hervé Alphand, Ambassador of France, General Secretary of the Ministry of Foreign Affairs;

The Presidium of the National Assembly of the People's Republic of Bulgaria: Mr. Vladimir Topencharov, Ambassador of Bulgaria at Paris;

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

Article 1

DEFINITIONS

For the purposes of this Convention:

1. The expression "consular post" means any consulate-general, consulate or vice-consulate;
2. The expression "consular district" means the area assigned to a consular post for the exercise of consular functions;
3. The expression "head of consular post" means the person charged with the duty of acting in that capacity;
4. The expression "consular officer" means any person, including the head of a consular post, entrusted with the exercise of consular functions;

¹ Came into force on 1 April 1970, i.e., the thirtieth day after the exchange of the instruments of ratification, which took place at Sofia on 2 March 1970, in accordance with article 48.

5. The expression “consular employee” means any person who performs administrative or technical duties in the consular post;

6. The expression “member of the service staff” means any person who performs domestic duties in the consular post;

7. The expression “member of the consular post” means consular officers, consular employees and members of the service staff;

8. The expression “member of the private staff” means a person who is employed exclusively in the private service of a member of the consular post;

9. The expression “consular archives” includes all the papers, documents, correspondence, books, films, tapes and registers of the consular post, together with the ciphers and codes, the card indexes and any article of furniture intended for their protection and safekeeping;

10. The expression “vessel” of a State means any ship or craft registered in accordance with the laws of that State, other than warships.

PART I

ESTABLISHMENT OF CONSULAR POSTS AND APPOINTMENT OF CONSULAR OFFICERS AND EMPLOYEES

Article 2

1. A consular post may be established in the receiving State only with that State's consent.

2. The sending and receiving States shall determine by agreement the seat of the consular post and its classification and district.

3. The prior express consent of the receiving State shall also be required for the opening of an office forming part of a consular post, situated elsewhere than at the seat of the post.

Article 3

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

2. Such consent having been obtained, the diplomatic mission of the sending State shall present to the Ministry of Foreign Affairs of the receiving State

a consular commission specifying the full name of the head of the consular post, his rank, his consular district and the seat of the consulate.

3. The head of a consular post is admitted to the exercise of his functions by an authorization from the receiving State termed an “*exequatur*”, which shall be issued without delay.

4. Subject to the provisions of paragraph 5 of this article, the head of a consular post shall not enter upon his duties until he has received an *exequatur*.

5. Pending delivery of the *exequatur*, the head of a consular post may be admitted on a provisional basis to the exercise of his functions. In that case, the provisions of this Convention shall apply.

Article 4

1. The Ministry of Foreign Affairs of the receiving State shall be notified of:

(a) The appointment of members of a consular post, their arrival after appointment to the consular post, their final departure or the termination of their functions and any other changes affecting their status that may occur in the course of their service with the consular post;

(b) The arrival and final departure of a person belonging to the family of a member of a consular post forming part of his household and, where appropriate, the fact that a person becomes or ceases to be such a member of the family;

(c) The arrival and final departure of members of the private staff and, where appropriate, the termination of their service as such;

(d) The engagement and discharge of persons resident in the receiving State as members of a consular post or as members of the private staff.

2. When possible, prior notification of arrival and final departure shall also be given.

Article 5

Consular officers shall have the nationality of the sending State only; they shall not be permanently resident in the receiving State or engage in an occupation or in commercial activities for personal gain in that State.

Article 6

1. The receiving State may at any time, without having to state the grounds for its decision, notify the sending State through the diplomatic channel that

a consular officer is *persona non grata* or that only other member of the consular staff is not acceptable. In that event, the sending State shall, as the case may be, recall the person concerned, terminate his functions at the consular post or withdraw his appointment.

2. If the sending State refuses or fails within a reasonable time to carry out its obligations under paragraph 1 of this article, the receiving State may, as the case may be, withdraw the exequatur from the person concerned or cease to consider him as a member of the consular staff.

Article 7

1. If the head of a consular post is unable for any reason to carry out his functions or if the post is temporarily vacant, the sending State may authorize a consular officer belonging to the same or another consular post in the receiving State or a member of the diplomatic staff of its diplomatic mission to act as acting head of the consular post; the name of the person concerned shall be notified in advance to the Ministry of Foreign Affairs of the receiving State.

2. The acting head of a consular post shall enjoy the facilities, privileges and immunities accorded to the head of a consular post under this Convention.

3. The appointment of a member of the diplomatic staff of the diplomatic mission of the sending State to a consular post in accordance with paragraph 1 of this article shall not affect the privileges and immunities accorded to him by virtue of his diplomatic status.

Article 8

The receiving State shall afford protection to consular officers and shall make all the necessary arrangements to enable them to enjoy the facilities, privileges and immunities provided for in this Convention.

Article 9

1. The sending State may, under the conditions and in the form provided for in the law of the receiving State, acquire as property, hold or lease any land, buildings, parts of buildings and appurtenances required for the purposes of establishing a consular post and for living quarters for members of the consular post who are not nationals of the receiving State; it may also dispose of such property.

2. Where necessary, the receiving State shall assist the sending State in acquiring, erecting or leasing property for the purposes indicated in the preceding paragraph.

3. Nothing in the provisions of this article shall be deemed to exempt the sending State from the obligation to comply with any building or town-planning laws or regulations applicable to the area in which the properties are situated.

PART II

PRIVILEGES AND IMMUNITIES

Article 10

1. The coat of arms of the sending State and an inscription designating the consular post in the languages of the sending and receiving States may be displayed on the façade of the building and at the entrance door of the consular post.

2. The national flag of the sending State may be flown on the building of the consular post and on the residence of the head of the consular post.

3. The national flag of the sending State may also be flown on the means of transport of the head of the consular post when used on official business.

4. In the exercise of the right accorded by this article regard shall be had to the laws, regulations and usages of the receiving State.

Article 11

1. Buildings or parts of buildings and land appurtenant thereto used exclusively for consular purposes shall be inviolable. The authorities of the receiving State may not enter such premises without the consent of the head of the consular post, the head of the diplomatic mission of the sending State or a person designated by one of them.

2. The provisions of paragraph 1 of this article shall also be applicable to the residence of a consular officer.

3. The premises referred to in this article shall not be used in a manner incompatible with the exercise of consular functions.

Article 12

The consular archives shall be inviolable at all times and wherever they may be. Documents not relating to the consular service shall not be placed in filing cabinets and other furnishings intended for consular archives.

Article 13

1. The receiving State shall permit and protect freedom of communication by the consular post for all official purposes. In communicating with the Government, diplomatic missions and other consular posts of the sending State, wherever situated, the consular post may use all appropriate means, including diplomatic or consular couriers, diplomatic or consular bags and messages in code or cipher. In the use of public means of communication the same rates shall apply to the consular post as to the diplomatic mission of the sending State.

2. The official correspondence of a consular post shall be inviolable, whatever the means of communication used. "Official correspondence" means all correspondence relating to the consular post and its functions.

3. The packages constituting the consular bag shall bear visible external marks of their character and may contain only official correspondence and documents or articles intended exclusively for official use.

4. The consular bag shall be neither opened nor detained. Nevertheless, if the competent authorities of the receiving State have serious reason to believe that the bag contains something other than official correspondence or documents or articles intended exclusively for official use, they may request that the bag be returned to its place of origin.

5. The consular courier shall be provided with an official document indicating his status and the number of packages constituting the consular bag. He shall be neither a national nor a permanent resident of the receiving State. He shall enjoy the facilities, privileges and immunities accorded to couriers of the diplomatic mission of the sending State.

Article 14

Subject to its laws and regulations concerning zones into which entry is prohibited or regulated for reasons of national security, the receiving State shall ensure freedom of movement and travel in its territory to all members of the consular post.

Article 15

1. A consular officer shall not be liable to arrest or deprivation of liberty in any form unless he is charged with a grave crime by a decision of the competent judicial authorities or of the office of the public prosecutor or unless a judicial sentence of final effect has been imposed on him.

2. "Grave crime" means any offence punishable under the laws of the receiving State by deprivation of freedom for a term of more than five years.

3. If criminal proceedings are instituted against a consular officer, he must appear before the competent authorities. Nevertheless, the proceedings shall be conducted with the respect due to him by reason of his official position and, except in the case specified in paragraph 1 of this article, in a manner which will hamper the exercise of consular functions as little as possible. When in the circumstances mentioned in paragraph 1 of this article, it has become necessary to detain a consular officer pending trial, the proceedings instituted against him shall be carried out as rapidly as possible.

4. In the event of the arrest or the detention pending trial of a member of the consular post or of criminal proceedings being instituted against him, the receiving State shall promptly notify the head of the consular post. Should the latter be himself the object of any such measure, the receiving State shall notify the sending State through the diplomatic channel.

Article 16

1. Consular officers and consular employees, if the latter are neither nationals of nor permanently resident in the receiving State, shall not be amenable to the criminal jurisdiction of the courts of the receiving State in respect of acts performed in the exercise of their functions.

2. Consular officers and consular employees shall not be amenable to the civil or administrative jurisdiction of the courts of the receiving State in respect of acts performed in the exercise of their functions.

3. The provisions of paragraph 2 of this article shall not, however, apply in respect of a civil action either:

(a) Arising out of a contract concluded by a consular officer or a consular employee in which he did not contract expressly or impliedly as an agent of the sending State; or

(b) By a third party for damage arising from an accident in the receiving State caused by a vehicle, vessel or aircraft.

Article 17

1. Members of a consular post may be called on to attend as witnesses in the course of judicial or administrative proceedings. A consular employee or a member of the service staff shall not, except in the cases mentioned in paragraph 3 of this article, decline to give evidence. If a consular officer should decline to do so, no coercive measure or other penalty may be applied to him.

2. The judicial or administrative authorities of the receiving State that have called upon a consular officer to give evidence shall take all appropriate steps to avoid interference with the functioning of the consular post and, wherever possible, arrange for the taking of the testimony of the consular officer, orally or in writing, at his residence or at the consular post.

3. Members of the consular post and members of their families may decline to give evidence with regard to matters relating to the official activity of members of the consular post or in the capacity of an expert witness concerning the law of the sending State.

Article 18

1. The sending State may waive, with regard to a member of the consular post, any of the privileges and immunities provided for in articles 15, 16 and 17.

2. The waiver shall in all cases be express, except as provided in paragraph 3 of this article, and shall be communicated to the receiving State in writing.

3. The initiation of proceedings by a member of the consular post in a matter where he might enjoy immunity from jurisdiction under article 16 (paragraphs 1 and 2) shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim connected with the principal claim.

4. The waiver of immunity from jurisdiction for the purposes of civil or administrative proceedings shall not be deemed to imply the waiver of immunity from the measures of execution resulting from the judicial decision; in respect of such measures, a separate waiver shall be necessary.

Article 19

Members of the consular post and members of their families living with them who are not nationals of the receiving State shall be exempt from all personal services in that State. Those who are neither nationals of nor permanently resident in the receiving State shall also be exempt from all other public service and from military obligations such as those connected with requisitioning, military contributions and billeting.

Article 20

Consular officers and consular employees and members of their families living with them shall, unless they are permanently resident in the receiving State or carry on a private gainful occupation in that State, be exempt from the obligations under the laws and regulations of the receiving State in regard to the

registration of aliens, residence and work permits and similar formalities with which aliens in general are required to comply.

Article 21

1. The sending State shall be exempted by the receiving State from national, regional and municipal taxes and all similar charges in respect of:

(a) Land, buildings or parts of buildings used exclusively for consular purposes and residences of consular officers, provided that the premises in question are owned by or leased in the name of the sending State or any other natural or juridical person acting on behalf of that State;

(b) Contracts or instruments relating to the purchase or lease of the immovable property referred to in subparagraph (a);

(c) The possession and utilization of movable property used exclusively for the purposes of the consular post.

2. The exemptions referred to in paragraph 1 of this article shall not apply to:

(a) Taxes and charges which, under the laws and regulations of the receiving State, are payable by the person who contracted with the sending State or with the person acting on its behalf;

(b) Charges levied in respect of specific services rendered.

Article 22

Members of the consular post who are nationals of the sending State shall be exempt from all taxes and charges in respect of income, salary, wages or allowances received from the sending State as compensation for their official duties.

Article 23

1. Consular officers and consular employees and members of their families forming part of their households, provided that they are not nationals of or permanently resident in the receiving State and are not carrying on any private gainful occupation in that State, shall be exempt from all taxes and charges, personal or real, national, regional, or municipal, except:

(a) Indirect taxes of a kind normally incorporated in the price of goods or services;

(b) Taxes and charges on private immovable property situated in the territory of the receiving State, subject to the provisions of article 21;

(c) Estate, succession or inheritance duties and duties on transfers levied by the receiving State, subject to the provisions of article 24;

(d) Taxes and charges on private income, including capital gains, having its source in the receiving State and capital taxes relating to investments made in commercial or financial undertakings in the receiving State;

(e) Taxes and charges levied for specific services rendered;

(f) Registration, court or record fees, mortgage dues and stamp duties, subject to the provisions of article 21.

2. Members of the consular post who employ persons whose salaries or wages are not exempt from income tax in the receiving State shall observe the obligations which the laws and regulations of that State impose upon employers concerning the levying of income tax.

Article 24

In the event of the death of a member of the consular post or of a member of his family living with him, the receiving State shall exempt the movable property of the estate from taxes and charges or similar dues of all kinds, provided that the deceased was not a national of or permanently resident in the receiving State and that the presence of the property in the territory of the receiving State was due solely to the presence of the deceased as a member of the consular post or as a member of the family of a member of the consular post.

The receiving State shall permit the export of the movable property of the deceased, with the exception of any property acquired in the receiving State the export of which is prohibited.

Article 25

1. The receiving State shall, in accordance with its laws and regulations, permit entry of and grant exemption from all customs duties, taxes and related charges other than charges for storage, cartage and similar services, on:

(a) Articles, including automobiles, for the official use of the consular post;

(b) Articles for the personal use of a consular officer or members of his family living with him.

2. Consular employees shall enjoy the exemptions specified in paragraph 1 (b) of this article in respect of articles imported for their first installation.

3. Nationals and permanent residents of the receiving State shall not enjoy the privileges specified in paragraph 1 (b) and paragraph 2 of this article.

Article 26

1. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying privileges and immunities under this Convention to respect the laws and regulations of the receiving State, including those relating to traffic and the insurance of means of transport.

2. A consular officer or employee shall not use the rights, privileges and immunities accorded to him for purposes incompatible with his official status.

Article 27

Lands, buildings and appurtenances, including the furnishings and property contained therein, held or occupied for consular purposes by the sending State, as well as means of transport owned by that State, shall not be subject to any form of requisitioning. Such lands, buildings and appurtenances shall not be immune from expropriation for purposes of national defence or public utility, in accordance with the laws of the receiving State. If expropriation is necessary for such purposes, all appropriate steps shall be taken to avoid impeding the performance of consular functions, and prompt, adequate and effective compensation shall be paid to the sending State.

PART III

CONSULAR FUNCTIONS

Article 28

A consular officer shall, within the district of his consular post, be entitled:

(a) To protect the rights and interests of the sending State and of its nationals, including juridical persons;

(b) To promote the development of commercial, economic, cultural and scientific relations and tourism between the sending State and the receiving State;

(c) In general to contribute in other ways to the development of friendly relations between the sending State and the receiving State.

Article 29

1. The consular post may levy in the territory of the receiving State the fees and charges provided for by the laws and regulations of the sending State for consular acts.

2. The sums collected in the form of the fees and charges referred to in paragraph 1 of this article and the receipts for such fees and charges shall be exempt from all dues and taxes in the receiving State.

Article 30

1. A consular officer may exercise his functions only within the district of his consular post. However, in special circumstances, a consular officer may, with the consent of the receiving State, exercise his functions outside his consular district.

2. In the exercise of his functions, a consular officer shall be entitled to apply in writing or orally to the competent authorities of the consular district, including the representatives of the central authorities in that district.

3. With the prior consent of the receiving State, a consular post of the sending State may exercise consular functions in the receiving State on behalf of a third State.

Article 31

1. A consular officer shall be entitled, subject to the laws and regulations of the receiving State, to arrange appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State where, because of absence or any other valid reason, such nationals are unable to assume the defence of their rights and interests at the proper time. The same provisions shall apply to juridical persons of the sending State.

2. The representation provided for in paragraph 1 of this article shall cease when the persons represented appoint their own agents or themselves assume the defence of their rights and interests.

Article 32

Consular officers shall be free to communicate with nationals of the sending State, to advise them and to assist them in dealings with and suits or other proceedings before the local authorities and, if necessary, to provide them with the assistance of a lawyer or interpreter.

Nationals of the sending State shall have the same freedom to communicate with consular officers and freedom of access to consular posts of the sending State.

Article 33

1. The competent authorities of the receiving State shall, without delay, and in any case within ten days, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or his personal freedom is restricted in any other way. Any communication addressed to the consular post by the person who has been arrested or whose personal freedom has been restricted in any other way shall also be forwarded by the said authorities within ten days.

The said authorities shall inform the person concerned without delay of his rights under this paragraph.

2. Consular officers shall have the right to visit the national concerned, to converse and correspond with him and to arrange for his legal representation. The exercise of this right may not be deferred for more than 15 days from the date of the arrest of the person concerned or the beginning of any restriction on his personal freedom.

3. If the national in question is serving a sentence of imprisonment, the consular officer shall have the right to visit him on a recurrent basis. Such visits must enable the consular officer to converse with the prisoner.

4. The rights referred to in the foregoing paragraphs of this article may be exercised only in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations must not render these rights inoperative.

Article 34

1. A consular officer shall be entitled:

- (a) To keep a register of nationals of the sending State;
- (b) To issue passports and other travel documents to nationals of the sending State and to renew them;
- (c) To issue visas or appropriate documents to persons wishing to travel to the sending State, and to renew them.

Article 35

1. A consular officer shall, where authorized to do so by the law of the sending State, be entitled:

- (a) To receive any declaration provided for by the laws on nationality of the sending State;

(b) To draw up and record certificates of civil status of nationals of the sending State;

(c) To solemnize a marriage where the prospective spouses are both nationals of the sending State, provided that the solemnization of such a marriage is not prohibited under the law of the receiving State. He shall inform the competent authorities of the receiving State thereof if the law of that State so requires;

(d) To record certificates of marriage and to register divorces granted in accordance with the law of the receiving State if at least one of the spouses is a national of the sending State.

2. The foregoing provisions shall not exempt nationals of the sending State from the obligation to make the declarations required by the laws of the receiving State.

3. The competent authorities of the receiving State shall transmit to the consular post without delay and free of charge any copies of or extracts from certificates of civil status of nationals of the sending State which they are asked to supply for administrative purposes.

Article 36

1. A consular officer shall be entitled:

(a) At the request of a national of the sending State, to draw up, certify, stamp and legalize legal instruments and documents or copies thereof, including commercial documents, declarations and contracts, and to carry out all formalities required for the validity of such documents or instruments, provided that they do not relate to immovable property situated in the receiving State and are not contrary to the law of that State;

(b) To perform the functions referred to in the foregoing paragraphs, at the request of nationals of countries other than the sending State, provided that the documents or instruments relate to property or rights in the sending State or to business to be transacted in that State;

(c) To draw up, certify and receive for safekeeping the wills and other instruments and declarations of nationals of the sending State;

(d) To issue certificates of origin of goods and similar documents to be produced in the sending State;

(e) To receive any declaration and to draw up any document relating to the registration of vessels in accordance with the law of the sending State and to issue navigation permits for such vessels;

(f) To translate all instruments and documents and to certify the translation.

2. The authorities of the receiving State shall recognize the validity of instruments and documents referred to in paragraph 1 which have been drawn up or certified by a consular officer and which bear an official seal, and of copies and translations of such instruments and documents and extracts therefrom bearing an official seal, which such instruments and documents are required for use in the receiving State, in so far as this is consistent with the law of the receiving State.

3. The instruments, documents, copies, translations and extracts referred to in paragraph 1 shall be legalized before being submitted to the authorities of the receiving State if the law of that State so requires.

Article 37

Where the authorities of the receiving State have knowledge of a case in which it is necessary to appoint a guardian or trustee for a national of the sending State, they shall so inform the consular post.

A consular officer may apply to the competent authorities of the receiving State with regard to the appointment of guardians or trustees, and, in particular, may propose candidates for the exercise of those functions.

Article 38

A consular officer shall have the right to transmit judicial and extrajudicial instruments and to execute letters rogatory in accordance with international agreements in force or, in the absence of such agreements, to the extent permissible under the laws and regulations of the receiving State.

Article 39

1. A consular officer may, to the extent permissible under the laws of the receiving State, accept for safekeeping money, documents and articles turned over to him by nationals or for the account of the sending State.

2. Such money, documents and articles may be exported from the receiving State only in conformity with the regulations of that State.

Article 40

If the competent authorities of the receiving State have knowledge of the death in that State of a national of the sending State they shall notify the consular post without delay.

Article 41

1. The competent authorities of the receiving State shall notify the consular post of the opening of a succession in the receiving State where a statutory or testamentary heir is a national of the sending State not resident in the receiving State and not represented there.

2. In such a case a consular officer shall at his request be given all the information concerning the succession available to the authorities of the receiving country.

3. A consular officer may:

(a) Request the competent authorities of the receiving State to take measures for the protection and administration of an estate left in that State to a national of the sending State and to inform him of such measures where they have already been taken;

(b) Assist, directly or through a representative, in carrying out the measures referred to in subparagraph (a).

4. If, after the completion of succession proceedings in the receiving State, the movable estate or the proceeds of the sale of the movable or immovable estate are to descend to a statutory or testamentary heir who is a national of the sending State and who is not resident in the receiving State and has not appointed a representative, such estate or proceeds shall be delivered to the consular post of the sending State, provided that:

(a) The competent authorities of the receiving State have authorized delivery of the estate or proceeds where such authorization is required;

(b) All claims on the estate presented in the period prescribed by the laws of the receiving State have been paid or secured;

(c) The estate duties have been paid or secured.

5. If a national of the sending State temporarily in the receiving State dies, any articles, money and valuables which he had with him shall be delivered to the consular post, without formal proceedings, for temporary safekeeping, with the exception of those acquired in the receiving country whose export is prohibited. Any subsequent measures, including, where necessary, the export of such property, shall be subject to compliance with the laws of the receiving State.

Article 42

1. (a) A consular officer may extend aid and assistance to vessels of the sending State which are in a port or other place of anchorage within the consular district.

(b) A consular officer may go on board vessels of the sending State as soon as they have received *pratique*.

(c) The master and members of the crew may establish contact and meet with the consular officer, subject to compliance with the regulations concerning ports and the crossing of frontiers.

(d) A consular officer may request assistance from the authorities of the receiving State in the exercise of his functions relating to vessels of the sending State and their crews.

2. A consular officer may, without prejudice to the rights of the authorities of the receiving State:

(a) Investigate any incident occurring on board a vessel of the sending State during its voyage, question the master and any member of the crew, examine the vessel's papers, take statements with regard to its voyage and destination and settle disputes of any kind between the master, the officers and the seamen;

(b) Adopt measures for the maintenance of order and discipline on board the vessel;

(c) Make arrangements for the hospitalization and repatriation of the master or any other member of the crew, facilitate the arrival and departure of the vessel and its stay in the port and assist the master and members of the crew before the courts of the receiving State.

3. A consular officer may make any arrangements provided for by the laws of the sending State concerning navigation, to the extent permissible under the laws of the receiving State.

Article 43

1. Where the competent authorities of the receiving State intend to take coercive measures or to carry out an investigation on board a vessel of the sending State which is in the waters of the receiving State, they shall notify the consular post before such measures are initiated in order that a consular officer may be present. Where the consular officer or his representative has not been present at the proceedings, he shall be entitled, on application to the authorities in question, to receive full information regarding what has taken place.

The provisions of the preceding subparagraph shall also apply in cases where the master or any member of the crew of the vessel is to be interrogated on shore by the aforementioned authorities.

Article 44

1. Where a vessel of the sending State is wrecked, runs aground or is otherwise damaged in the receiving State, the competent authorities of that State shall notify the consular post as soon as possible of the occurrence and of the measures taken to save the persons on board, the vessel and the cargo.

A consular officer may extend all possible assistance to the vessel, the members of its crew and its passengers and may take measures to safeguard the cargo and repair the vessel. He may also request the authorities of the receiving State to take such measures.

2. Where neither the owner, the master nor any other authorized person is in a position to make the necessary arrangements for the custody and administration of the vessel or its cargo, a consular officer may, on behalf of the owner of the vessel, make such arrangements as the owner himself could have made for such purposes.

3. The provisions of paragraph 2 of this article shall also apply to any article belonging to a national of the sending State and forming part of the cargo of a vessel of the sending State or of a third State which is found on or near the coast of the receiving State or brought into a port in the consular district.

4. The competent authorities of the receiving State shall extend the necessary assistance to the consular officer in all action taken in connexion with the damage to the vessel.

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

Article 45

A consular officer may perform such control and inspection duties in relation to aircraft of the sending State and their crews as are provided for by the laws of that State. He may also extend assistance to such aircraft and crews.

Article 46

In addition to the functions provided for by this Convention, a consular officer may exercise other consular functions which are not contrary to the laws of the receiving State.

PART IV

FINAL PROVISIONS

Article 47

1. The provisions of this Convention shall also apply to consular functions performed by the diplomatic mission of the sending State. Members of the staff of the diplomatic mission of the sending State who are entrusted with the performance of consular functions and whose full names have been notified to the Ministry of Foreign Affairs of the receiving State shall enjoy the same rights and be subject to the same obligations as are provided for by this Convention in respect of consular officers and consular employees.

2. The performance of consular functions by members of the staff of the diplomatic mission referred to in paragraph 1 of this article shall not affect the privileges and immunities to which they are entitled as members of the diplomatic mission.

Article 48

1. This Convention is subject to ratification.

The exchange of the instruments of ratification shall take place at Sofia.

2. This Convention shall enter into force on the thirtieth day after the exchange of the instruments of ratification and shall remain in force until such time as one of the High Contracting Parties denounces it after giving the other High Contracting Party twelve months' notice in writing to that effect.

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

DONE at Paris on 22 July 1968, in duplicate in the French and Bulgarian languages, both texts being equally authentic.

For the President
of the French Republic:
Hervé ALPHAND

For the Presidium
of the National Assembly
of the People's Republic of Bulgaria:
Vladimir TOPENCHAROV